

RINGGOLD SCHOOL DISTRICT
400 Main Street
New Eagle, PA 15067

Regular Ringgold Board of School Directors' Meeting

Wednesday, March 18, 2020

I. CALL TO ORDER

The Regular Meeting of the Ringgold Board of School Directors, for General Purposes, was held in the Administration Building, 400 Main Street, New Eagle, PA 15067 at 7:45 P.M. Notices of this meeting were sent to all Board Members and it was properly posted and advertised. The meeting was called to order by President William Stein Jr. and the following Board Members were present/participating to the call of the roll.

II. ROLL CALL

President
First Vice President
Second Vice President

Mr. William C. Stein, Jr.
Mr. James R. Dodd
Mrs. Sherrie L. Garry
Ms. Harley Bobnar (Called in)
Mrs. Carol F. Flament
Mr. Jason H. Gerard
Mr. Gene R. Kennedy
Mr. Lawrence L. Mauro (Called in)
Mrs. Maureen A. Ott

Also Present

Superintendent
Board Secretary
and also
Director of Operations
& Financial Services
Solicitor
Recording Secretary

Ms. Megan Marie Van Fossan
Mr. Randall S. Skrinjorich

Mr. Timothy R. Berggren
Mr. Anthony Piscioneri

III. SUPERINTENDENT'S REPORT – MS. VAN FOSSAN

Ms. Van Fossan expressed concerns with some of the motions on the agenda.

IV. SECRETARY'S REPORT

No Report

V. APPROVAL OF MINUTES

The Board, by a unanimous voice vote of the nine members participating, approved a motion by Mrs. Flament, seconded by Mr. Dodd, to accept the following minutes as presented:

A. Regular Board Meeting of Wednesday, February 19, 2020

VI. MON VALLEY CAREER AND TECHNOLOGY CENTER REPORT - MR. KENNEDY

No Report

VII. INTERMEDIATE UNIT I REPORT –MRS. OTT

- The convention, previously scheduled for March 24, 2020 has been postponed. Current plans are to reschedule the convention for May.
- The IU1 is now authorized to provide board training. Their training is scheduled for April 4, 2020 with more dates to come.

VIII. SHASDA REPORT – MRS. OTT

- Student forum was held at South Park High School. Over 20 local School Districts participated and Administrators and Board members were able to perform a “gallery walk” where we were able to interact with students who presented programs taking place at their schools. It was a wonderful opportunity for us to see what other Districts are doing and talk to young leaders at each school. For Ringgold, Kelly St. Cyr and Jacob Duncan discussed their experience in their Environmental Sciences classes and collaboration with Range Resources.

IX. PSBA REPORT – MRS. OTT

- Advocacy Day previously scheduled for March 23, 2020 has been postponed. It has been rescheduled for May 11.
- PSBA provided guidance on School Board Meeting Attendance via remote means on March 16, 2020. These are guidelines we might want to consider as we work through the challenges of the on-going Coronavirus fallout. PSBA is providing important information to Directors on almost a daily basis. In order to remain informed, please continue to review your email during this time.

X. SOLICITOR'S REPORT - MR. BERGGREN

Mr. Berggren stated that he had nothing to report publicly.

XI. PRESIDENT'S REPORT - MR. STEIN

Mr. Stein took this time to speak on the impact of the Coronavirus and how he and the Board are thankful for the staff and everything they are doing to get through these tough times.

Mr. Stein announced that the Board met in Executive Session prior to tonight's meeting, to discuss the following:

- A. Personnel (hiring and assignments)**
- B. Student Discipline**
- C. Received Legal Counsel & Information**

XII. VISITORS' REQUESTS TO ADDRESS THE BOARD

Rodrick Wilson of Donora, PA – **Topic:** Mr. Wilson discussed the possibility of Ringgold Staff getting paid during the shutdown.

Crystal Smith of Monongahela, PA – **Topic:** Ms. Smith talked about the possibility of having parent monitors in the classroom.

XI. COMMITTEE REPORTS

- A. Business And Financial Services - Chairperson: Mrs. Flament - Co-chairpersons: Ms. Bobnar, Mr. Gerard and Mrs. Ott**

Mrs. Flament announced that as everyone had been provided with a copy of the Board agenda and the addendums, and had the opportunity to review each motion, she made a motion to approve items 1 through 12 as stated below, which motion was seconded by Mrs. Ott. The Board, by a unanimous vote to the call of the roll of the nine members participating, approved the following motions.

1. Treasurer's Reports

To accept the Treasurer's Report as Presented. A copy of the Treasurer's Reports can be found in the Appendix of these Minutes on pages

2. Payment of Bills

To accept the Bills as presented. A copy of the Bills can be found in the Appendix of these Minutes on pages

3. **Compensation of Tax Collectors**

To accept and approve the Agreement with the City of Monongahela setting the compensation paid by the District to the Monongahela City officials responsible for the collection of property and per capita taxes for the School District in the City of Monongahela.

4. **Settlement of Assessment Appeal**

To approve a motion agreeing to the settlement of a tax assessment appeal for Parcel Number 530-001-08-00-0001-00 in the amount of \$549,200.

5. **Agreement with JML Landscape Management**

To accept an agreement with JML Landscape Management for grounds maintenance in the School District. This agreement is for a period from April 1, 2020 to November 30, 2020, with four additional years at the discretion of the District.

6. **Agreement with Hadfield Elevator Company, LLC**

To accept an agreement with Hadfield Elevator Company, LLC for elevator maintenance in the School District. This agreement is for a period from February 1, 2020 to January 30, 2021, with five additional years at the discretion of the District.

7. **Agreement with Transformation Learning Corporation**

To accept an agreement with Transformation Learning Corporation for special education services.

8. **Payment to East West Manufacturing & Supply Co., Inc.**

For payment to East West Manufacturing & Supply Co., Inc. in the amount of \$144,234.00 for the cooling tower replacement at Ringgold High School. Payment of invoice #2 will be made from the Capital Reserve Fund.

9. **Continuation of Agreement with PenServ Plan Services Inc.**

To accept an agreement with PenServ Plan Services Inc. as the third party 403(b) administrator for Ringgold School District.

10. **Portnoff Law Associates moving forward with Sheriffs Sale**

To allow Portnoff Law Associates to move forward with Sheriffs sale on the attached properties.

11. **Proposal from CDW*G, LLC**

To purchase 400 Acer Chromebooks each from CDW*G in the amount of \$89,200.00. The pricing is based on COSTARS Software Contract (COSTARS-006-064) UNSPSC: 43232804.

12. **Acceptance of a Proposal from CCL Technologies**

To accept a proposal from CCL Technologies in the amount of \$40,454.60 for NVR (Network Video Recorder) and Valerus Enterprise License for Cameras at Ringgold Elementary School North and Ringgold Elementary School South. Pricing is based on PEPPM 2019 Contract #528897-288 and CO-STARs 2019/Service per Contract #4400004480.

B. **Personnel And Administration – Chairperson: Mrs. Ott Co-chairpersons: Mrs. Flament, Mrs. Garry And Mr. Dodd**

Mrs. Ott announced that as everyone had been provided with a copy of the Board agenda and the addendums, and had the opportunity to review each motion, she made a motion to approve items 1 through 9 and also number 11 as stated below, which motion was seconded by Mrs. Garry. The Board, by a unanimous vote to the call of the roll of the nine members participating, approved the following motions 1 through 9 and number 11.

1. **Resignation of Personnel**

To accept the following resignation:

Lesley Baltimore – Paraprofessional at Ringgold Elementary School North effective February 28, 2020.

2. **Additions to the Substitute Rosters**

To add the following people to the substitute list:

Aide

Alicia DiBernardo	Monongahela, PA
Heather Ooten	Monongahela, PA

Secretary

Alicia DiBernardo	Monongahela, PA
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Bus Driver Trainee

Judith Zimmerman	Monongahela, PA
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Cafeteria

Heather Ooten	Monongahela, PA
Vicki Ellsworth	Monongahela, PA
Jodie Winwood	West Newton, PA

3. **Letters of Retirement**

To accept the following letters of retirement:

- Wayne Haywood** - Custodian at Ringgold Middle School – effective Tuesday March 23, 2020
- Jone Gerba** – Administrative Assistant at Ringgold Middle School – effective Wednesday March 18, 2020
- Denise Patten** – Business Education Teacher at Ringgold High School – Effective the last working day of the 19/20 school day.
- Alice Prentice** – Elementary School Teacher at Ringgold Elementary School South – Effective the last working day of the 19/20 school day.

4. **Police Officer and Permission to Petition the Court of Common Pleas**

To approve Corey Swetz as a Ringgold School District Police Officer and authorizing and directing the Superintendent and Solicitor to take the action necessary to petition the Court of Common Pleas to have Mr. Swetz appointed as school police officer for the Ringgold School District.

5. **Permission to Hire Teacher and Aides for the Extended School Year Program**

To hire the following Teacher and Aides for the Extended School Year (ESY) Program.

Teacher

Sondra McIntosh
Lauran Kissell

Aides

Linda Evans
Diane Lucci
Lisa Guza
Kim Clegg
Elizabeth Romito

Nurse

***Jean Sames**
***Cindy Magone**

*Will Split time equally

6. **Permission to Hire Teachers for the Pre-Kindergarten Summer Program**

To hire the following Teachers for the Pre-Kindergarten Summer Program.

Sarah Lesko
Rosalyn Malarbi
Lisa Altemare

Kristie Gray
Emily Wyvratt

7. **Permission to Hire Instructional Aides for the Pre-Kindergarten Summer Program**

To hire the following Instructional Aides for the Pre-Kindergarten Summer Program.

Cristina Parsons
Kim Clegg
Nichole Willis
Lisa Guza

Elizabeth Romito
Marlene Weiss
Cathy Yurkovich
William Gaffey

8. **Permission to post a Nurse Position for Pre-Kindergarten Program**

For permission to post the Lil Rams Camp Summer Program position for 2020.

9. **Extracurricular Position**

To appoint Sharon Geary to the Ringgold Middle School Yearbook extracurricular position for the second half of the 2019-2020 school year.

10. **Student Discipline**

The Board, by a unanimous vote to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mr. Gerard, to accept the Agreement reached between the Administration and the Parent(s) of Student "A" whereby Student "A" be admitted into the YES Alternative Education Program beginning no later than Tuesday, March 6, 2020 for up to 45 days.

11. **Letter of Agreement for Student Assistance Program**

To grant the Superintendent permission to sign a Letter of Agreement for the Student Assistance Program (SAP) between the Center for Community Resources and the Ringgold School District for the 2020-2021 school year.

12. **Retain the services of an expert in Special Education**

The Board, by a vote of 7-2 to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mrs. Flament, to retain the services of Mr. Andrew Faust, Esquire, as an expert in special education in accordance with the engagement letter as presented.

Voting Yes - Messrs.: Gerard, Kennedy, and Stein. Mesdames: Flament, Bobnar, Ott and Garry

Voting No - Messr.: Mauro and Dodd

13. Resolution to study the structure of the Human Resource Functions

The Board, by a vote of 8-1 to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mrs. Flament, to adopt the following Resolution.

Whereas, the Board of School Directors has engaged the Levin Legal Group, P.C. to investigate certain matters; and

Whereas, the Levin Legal Group, P.C. has advised the School Board that the human resources function in the School District is disjointed and should be better coordinated;

Now, therefore, *be it resolved*, that the Director of Operations and Financial Services is hereby directed and authorized as follows:

1. With the assistance of legal counsel and input of the Human Resource Manager/Executive Assistant to the Superintendent, to study the structure of the human resources functions of the School District and to report his recommendations for the structure and organization of the human resource functions to the Superintendent and School Board;
2. To have the power and authority to schedule and conduct personnel matters including investigative interviews regarding employees matters and complaints, Loudermill hearings, interactive process meetings and such other legally required meetings and hearings, formal or informal, that may be reasonably necessary and advisable; and
3. To impose discipline, including disciplinary suspensions, suspensions pending discharge and reassignments, as may be reasonably necessary with the legal advice of counsel.

Voting Yes - Messrs.: Dodd, Gerard, Kennedy, and Stein. Mesdames: Flament, Bobnar, Ott and Garry

Voting No - Messr.: Mauro

14. Resolution for Contingency Plan

The Board, by a vote of 8-1 to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mrs. Flament, to adopt the following Resolution.

Whereas, there have been and are absences by key administrators; and

Whereas, the Board of School Directors desires to ensure that the administrative work of the School District is not interrupted as a result of such absences; and

Whereas, the law imposes certain duties only on a superintendent or substitute superintendent;

Now, therefore, *be it resolved*, that:

1. The Superintendent or her designee is to prepare a written contingency plan as to which employees will act in the event of absences by administrators; and

2. In the absence of the Superintendent, the Director of Operations and Financial Services shall assume all duties and authority and is hereby invested with all power and authority of the Superintendent except for such duties or powers that are specifically reserved to an individual who has a particular certification.

The power and authority hereby conferred upon the Director of Operations and Financial Services is granted for both short term and long term absences by the Superintendent that are caused by illness, injury, disability, vacation, personal day, and any time when the Superintendent is not in the administration building and has not complied with the notice requirements for when administrators leave their assigned building.

Voting Yes - Messrs.: Dodd, Gerard, Kennedy, and Stein. Mesdames: Flament, Bobnar, Ott and Garry

Voting No - Messr.: Mauro

15. Resolution to prepare Administrative Regulations

The Board, by a vote of 7-2 to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mrs. Flament, to adopt the following Resolution.

WHEREAS, School Board Policy 332 provides, in relevant part, that “[t]he Superintendent or designee shall develop administrative regulations to ensure district employees adhere to their assigned work schedules”; and

WHEREAS, the School Board is unaware of any such administrative regulations having been prepared; and

WHEREAS, it appears that some administrators may be absent from work or absent without properly reporting their absences; and

WHEREAS, it is of the utmost importance that administrators report absences and the reason for the absence in order to comply with applicable law and ensure compliance with applicable compensation plans or individual contracts;

NOW, THEREFORE, *be it resolved*, that:

1. The Superintendent or her designee shall prepare appropriate administrative regulations as required by Policy 332 with all due dispatch;

2. That until the administrative regulations are prepared, adopted and implemented, all administrative employees of the School District are required to comply with the following rules:

a. To utilize the Aesop system as soon as that system is set up for use by administrative employees;

b. To report absences into the Aesop system and via email to the administrator's supervisor as soon as the administrator knows that he or she will be absent, but in no event later than 6:00 AM of the day of the absence unless such notice is impossible or there is a legal excuse for non-compliance with this rule. Copies of the email are to be sent to the Human Resources Manager, Anthony Piscioneri. In the case of the Superintendent, she is to provide email notice to the Director of Operations and Financial Services, with a copy to the Human Resources Manager.

c. As soon as reasonably practicable, but in no event later than the close of business on the first day back to work, the administrator who was absent shall submit an absence request form using the form attached hereto as Exhibit "A".

All administrators are expected to be in their principal offices and/or buildings when not absent. Any time that an administrator is not in his/her building when not absent, the administrator must notify via email his/her supervisor with a copy to the Human Resources Manager as to where he/she will be and the purpose. In the case of the Superintendent, the email notification must be to the Director of Operations and Financial Services, with a copy to the Human Resources Manager. This notice must be sent before the administrator leaves his or her building assignment.

Voting Yes - Messrs.: Dodd, Kennedy, and Stein. Mesdames: Flament, Bobnar, Ott and Garry

Voting No - Messr.: Mauro and Gerard

16. Resolution for the Record Retention System

Mrs. Ott made a motion, seconded by Mrs. Garry to approve a motion to approve a Resolution for the Record Retention System. Mr. Dodd moved to table the vote, seconded by Mr. Gerard. The Board, by a unanimous vote to the call of the roll of the nine members participating, approved a motion to table the motion.

17. Employment of Personnel

The Board, by a unanimous vote to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mrs. Flament, granting permission to employ the following individual.

Jeffrey McCullough as a full-time Bus Driver for Ringgold School District

18. **Resolution for Continued Education**

The Board, by a vote of 8-1 to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mrs. Flament, to adopt the following Resolution.

WHEREAS, on Friday, March 13, 2020, the Governor ordered the closing of all schools; and

WHEREAS, notwithstanding the closing of schools, guidance provided by the Pennsylvania Department of Education ("the PDE") has advised school leaders that education may be continued through non-traditional methods; and

WHEREAS, guidance provided by the PDE on March 15, 2020 ("the March 15 Guidance"), provided, in part:

5. Are schools required to provide any type of instruction during the closure of schools due to COVID-19 response efforts?

No. PDE recognizes that the rapidly evolving pandemic may make it impossible to implement continuity of education plans.

- Although not required, many schools have plans, or are creating plans, to provide continuity of education.
- Intermediate units are preparing to offer technical assistance for schools interested in developing such plans; that support will be available by Friday, March 20.

And

WHEREAS, the March 15 Guidance further provided that:

6. For school entities considering continuity of education, what options are available?

- Educational services may continue in a variety of ways, including:
 - Flexible Instruction Days for districts/schools with approved plans
 - Online/digital learning opportunities
 - Non-digital learning opportunities (e.g., materials sent home with students)
- The decision to employ one or more of the above methods of continuity of education is to be made at the local level based on feasibility, availability of resources, access and equity considerations, and the Commonwealth's social distancing recommendations.

And

WHEREAS, the March 15 Guidance made several cautionary statements regarding equal access, particularly to students with disabilities in the event that educational services are provided by a school district; and

WHEREAS, the March 15 Guidance made the following statements regarding the rights of students with disabilities:

- Whatever decision is made, [school districts] must ensure *full access* to learning for all students, with particular attention to free appropriate public education (FAPE) for students with disabilities and English as a second language (ESL) services for English Learners.

7. Is a school required to continue to provide FAPE to students with disabilities during a school closure caused by COVID-19 response efforts?

- When a school is closed because of COVID-19 response efforts and does not provide any educational services to the general student population, the school is not required to provide services to students with disabilities during that closure period. Once school resumes, the district/school must provide special education and related services to the child in accordance with the child's individualized education program (IEP) or Section 504 plan.
- When a school is closed because of COVID-19 response efforts and does provide educational services to the general student population, *the school must ensure* that students with disabilities have *equal access to the same opportunities, including the provision of FAPE*. In addition, districts/schools *must ensure* that, to the greatest extent possible, each student with a disability can be provided the special education and related services identified in the student's IEP or Section 504 plan. Once school resumes, a child's IEP team (or appropriate personnel under Section 504) must make an individualized determination whether and to what extent compensatory services may be needed, consistent with applicable requirements, including to make up for any skills that may have been lost during the closure within a reasonable timeframe.

And,

WHEREAS, Andrew Faust, Esquire, of the law firm Sweet, Stevens, Katz and Williams, a recognized authority regarding special education, advise clients as follows:

We have received a virtual storm of inquiries related to the provision of virtual learning opportunities during the COVID-19 closures. Last week, I sent out a Q and A from the United States Department of Education ("USDE") in which the feds remind us that all of the IDEA requirements governing the implementation of a "free appropriate public education" and all of the Section 504 requirements governing equal access and "comparable learning" opportunities for students with disabilities will apply to virtual learning during COVID-19 closure. Within hours of the release of the USDE Q and A, two parent law firms—one with a state-wide practice and the other with a practice concentrated in the greater Southeastern portion of the state—had re-released it to "remind" parents of their rights related to such learning.

What the law will require of you will depend on the type of virtual learning, if any, you choose to offer your students during the mandated closure.

If you are offering virtual learning as a replacement for curriculum and instruction, with the expectation that it will meet day or hour requirements needed for a full school term, you are arguably acting beyond the scope of your authority. As we indicated last week, only schools who were approved to offer "flexible instructional days" (FIDs) are permitted to offer virtual instruction in place of mandated curriculum and instruction, *and they are permitted to do so only for 5 days each school year for which they are approved. Nothing in*

the Governor's closure directive creates an exception to or a waiver of existing law on this subject. If, moreover, we are offering virtual classes as the equivalent of regular curriculum and instruction, the IDEA is clear, as USDE reinforces in its Q and A: students with disabilities will be entitled to receive a **full FAPE** in conjunction with the learning their peers are receiving online. That would include direct instruction, instructional adaptations, curriculum modifications, and supplementary aids and services that will be difficult, if not impossible, to implement without live personnel. For this reason, we do not recommend pursuing this option.

If, on the other hand, you are offering voluntary virtual learning activities simply to keep otherwise-idle students engaged and all-the-more ready for the return to school when the closure ends, you are arguably within the realm of extra-curricular activities. The equal access and comparability requirements of both the IDEA and Section 504 will, however, apply to such activities, just as they do during the regular school term. These requirements are less exacting than are the FAPE requirements of the IDEA. *We nevertheless strongly recommend that you offer adapted or modified versions of all activities. These adapted or modified activities should "essentialize" the intended outcomes of a particular virtual activity offered to non-disabled peers,* so that the activity for the student with disabilities is at least related to, and not wholly different than, the activities provided to peers. Most students using AAC and similar devices to access school-based learning and extracurricular activities should have access to them at home, but if supplies, equipment, and devices that are necessary at school are not available in the home, and if they are needed to access home-based activities during the break, schools should try, at least, to offer loans of these supplies, materials, and devices. Some students might require real-time assistance with virtual activities, and having staff available by phone or on-line for this purpose will be helpful if not necessary in some cases. We will surely make mistakes and will surely not be able to ensure full access to comparable activities, but these failings in the context of purely extracurricular experiences will have far less punitive consequences than will a denial of FAPE.

And,

WHEREAS, among the assurances made to PDE by the School District when the School District applied for approval of its Flexible Instructional Day program ("FID") were the following assurances:

Attendance shall be strictly enforced in compliance with Article XIII during Flexible Instructional Days.

Students shall be provided health services during a Flexible Instructional Day in compliance with Article XIV.

Free Appropriate Public Education (FAPE) shall be afforded all students during a Flexible Instructional Day in compliance with the Individuals with Disabilities Education Act (IDEA).

Should technology ever be employed during a Flexible Instructional Day, technical assistance and support shall be provided, as appropriate, to ensure access to instruction and resources.

And

WHEREAS, not all students of the School District have been provided with electronic devices necessary to fulfill the foregoing assurances; and

WHEREAS, the necessary work and investigation has not been conducted to ensure that all students with disabilities are being provided FAPE as required by applicable law; and

WHEREAS, insufficient information is known at this point about how long schools will have to be closed and what requirements may be imposed upon school districts to make up days or take other action to provide educational services; and

WHEREAS, the Superintendent announced that FID days were being provided without any consultation with legal counsel for the School District or other necessary central administrators, such as the Director of Technology and/or the Director of Operations and Financial Services;

NOW, THEREFORE, *be it resolved*, that:

1. all educational services to students are to cease immediately through at least Friday, March 27, 2020;

2. the Superintendent and her staff shall use the time to plan appropriately and to recommend to the Board of School Directors what educational services are to be provided, if any;

3. the Superintendent shall ensure that all appropriate administrators are included in planning sessions where any recommended actions impact their areas of responsibilities;

4. The Superintendent shall ensure that all teachers, administrators, students and parents are properly advised of this action; and

5. no further educational services are to be provided without approval of the Board of School Directors unless Required by Law as this phrase is defined in a separate resolution being considered at this meeting or school is allowed to be opened by the Governor or the PDE.

Voting Yes - Messrs.: Dodd, Gerard, Kennedy, and Stein. Mesdames: Flament, Bobnar, Ott and Garry

Voting No - Messr.: Mauro

19. Resolution for Proclamation of Disaster Emergency

The Board, by a unanimous vote to the call of the roll of the nine members participating, approved a motion by Mrs. Ott, seconded by Mrs. Flament, to adopt the following Resolution.

WHEREAS, on March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency, a copy of which is attached hereto as Exhibit "A" ("the Proclamation") due to COVID-19; and

WHEREAS, the Proclamation included the following provision:

I hereby authorize the Secretary of the Pennsylvania Department of Education, in his sole discretion, to suspend or waive any provision of law or regulation which the Pennsylvania Department of

Education is authorized by law to administer or enforce, for such length of time as may be necessary to respond to this emergency.

and;

WHEREAS, on March 13, 2020, the Governor issued an order closing schools, saying:

We understand that these are trying times and recognize the impact of the coronavirus on our students and communities. First and foremost, my top priority as governor – and that of our education leaders – must be to ensure the health and safety of our students and school communities. As such, I am ordering that all schools in the commonwealth close for the next two weeks. Be aware that no school district will be penalized if it fails to meet the 180 day or school hours requirements. The Department of Education will work with intermediate units and other stakeholders to support school districts with any continuity of learning plans they may be pursuing. Also, the Pennsylvania Department of Education announced today that it received a waiver from the U.S. Department of Agriculture to allow eligible schools to serve meals to low income students in a non-congregate setting, such as a drive-through or grab and go, during this closure. We will also work with schools to assist them with those plans. We appreciate your collaboration as we work together to deal with this difficult issue.

<https://www.governor.pa.gov/newsroom/governor-wolf-announces-closure-of-pennsylvania-schools/>; and

WHEREAS, state and federal authorities are issuing updated information, orders, guidance, and other statements daily; and

WHEREAS, it is anticipated that the School District may have to take action that ordinarily can only be authorized by the Board of School Directors; and

WHEREAS, the law allows for flexibility in operations of government institutions and agencies in times of emergency; and

WHEREAS, section 520.1 of the School Code provides the following in the case of a declared emergency by the Board of School Directors;

(a) Whenever an emergency shall arise which the board of school directors of any school district in the performance of its duties could not anticipate or foresee, and which emergency shall result in any such school district being unable to provide for the attendance of all pupils during the prescribed length of school days, number of days per week, or usual hours of classes, it shall be found as a fact by the school directors of any school district and so recorded on the minutes of a regular or special meeting of such board and certified to the Superintendent of Public Instruction, and such board of school directors, subject to the approval of the Superintendent of Public Instruction, shall have power to put into operation in such school district any one or more of the temporary provisions hereinafter provided for, but in no event shall such temporary provisions remain in effect for a period of more than four years after they are first put into effect.

(b) Subject to the foregoing provisions, any board of school directors may:

(1) Keep the schools of the district in session such days and number of days per week as they shall deem necessary or desirable, but the provisions of this act requiring a minimum of one hundred eighty (180) session days as a school year shall not be affected thereby.

(2) Reduce the length of time of daily instruction for various courses and classes.

(c) Any school district, by invoking the powers herein granted, shall not thereby forfeit its right to reimbursement by the Commonwealth or other State-aid as otherwise provided for by this act.

24 P.S. § 5-520.1; and

WHEREAS, section 687 of the School Code provides the following with regard to budgets and spending in times of emergency:

The board of school directors may, during any fiscal year, make additional appropriations or increase existing appropriations to meet emergencies, such as epidemics, floods, fires, or other catastrophes, or to provide for the payment for rental under leases or contracts to lease from the State Public School Building Authority or any municipality authority entered into subsequent to the date of the adoption of the budget. The funds therefor shall be provided from unexpended balances in existing appropriations, from unappropriated revenue, if any, or from temporary loans. Such temporary loans, when made, shall be approved by a two-thirds vote of the board of school directors.

24 P.S. § 6-687; and

WHEREAS, section 1153 of the School Code provides the following with regard to continuation of wages to teachers:

When a board of school directors is compelled to close any school or schools on account of contagious disease, the destruction or damage of the school building by fire or other causes, the school district shall be liable for the salaries of the teachers of said school or schools for the terms for which they were engaged. Whenever a teacher is prevented from following his or her occupation as a teacher, during any period of the school term, for any of the reasons in this section specified, the school district shall be liable for the salary of such teacher for such period, at the rate of compensation stipulated in the contract between the district and the teacher, in addition to the time actually occupied in teaching by such teacher.

24 P.S. § 11-1153; and

WHEREAS, it has been indicated that where emergencies arise preventing compliance with statutory provisions by school directors in matter of contracts, directors are justified in passing over such requirements, but cannot ignore statute altogether, *In re Chester Sch. Dist.'s Audit*, 301 Pa. 203, 151 A. 801 (1930); and

WHEREAS, courts have stated that statutory requirements that municipalities must have contracts in writing and advertise for bids have been held not to apply to a situation where there is an emergency. *Upper Darby Twp. v. Ramsdell Const. Co. Claim*, 51 Pa. D. & C. 246, 249 (Pa. Com. Pl. 1944); and

WHEREAS, school board policy 805, relating to Emergency Preparedness, provides in relevant part that “[t]he Board shall also utilize the resources of and comply with

the requirements of the Pennsylvania Department of Health and the Pennsylvania Department of Education;" and
WHEREAS, school board policy 612, relating to purchases, provides, in relevant part that:

In the event of emergency, which exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes, a purchase order may be authorized by the Business Director.

When budgeted funds are allocated on a building basis, the total amount budgeted may not be exceeded without prior approval.

Any expenditures in excess of appropriation made in conformance with this policy shall be reported to the Board at the next meeting, with a recommendation of funds to be transferred to cover said purchase.

And;

WHEREAS, school board policy 003, relating to school board functions, provides, in relevant part, the following:

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board procedure or policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective until the next meeting of the Board, unless an earlier time is specified in the motion to suspend;

And

WHEREAS, public school board meetings may be delayed or cancelled or otherwise interfered with due to the COVID-19 emergency;

NOW, THEREFORE, *be it resolved*, that:

1. The Board of School Directors hereby declares an emergency retroactive to the opening of business on Monday, March 16, 2020, in consideration of the Governor's Proclamation and his order on March 13, 2020, closing all schools in the Commonwealth;
2. This state of emergency shall continue for so long as the closing of schools is Required By Law;
3. Senior Management shall have all power and authority necessary to ensure that the School District acts or refrains from acting as Required By Law;
4. All policies of the School Board and Administrative Regulations of the administration are hereby suspended: (a) to the extent that they are inconsistent with what is Required by Law; (b) if reasonably necessary to protect the health and safety of students or Employees; or (c) if compliance with what is Required By Law will be unnecessarily impeded;
5. During the period of time when School District schools are closed as Required by Law:

a. the Superintendent shall determine such things as which Employees must report to work, which Employees must work remotely and which Employees will be excused from working; and

b. the Superintendent shall determine whether any instructional services will be provided and the nature of such instructional services; provided, however, that no such instructional services shall be required to be provided before potential consequences are evaluated under applicable law, collective bargaining agreements and individual contracts;

c. the Business Administrator shall make such payments as Required By Law or that are in the reasonable discretion of the Business Administrator to be in the best interests of the School District to make even if not previously approved by the School Board; provided, however, that the payments are otherwise legal, within the budget of the School District and reported to the School Board for ratification at the first available public meeting; and

d. Senior Management shall keep the School Board advised of the actions being taken in accordance with the powers granted in this Resolution and shall ensure that such actions are included in the agenda of the next regular school board meeting for ratification by the School Board.

6. The School Board finds as facts: (a) that this emergency is an emergency that the School Board was unable to foresee as contemplated in section 520.1 of the School Code, 24 P.S. §5-520.1; and (b) that the School District may not be able to provide for the attendance of all pupils during the prescribed length of days or the usual hours of classes as generally required under applicable law;

7. Having found the facts as required by section 520.1 of the School Code and as stated in paragraph 6 of this Resolution, the School Board Secretary is required to ensure that his Resolution is recorded in the minutes of this meeting and Senior Management is directed to certify these matters to the Secretary, in accordance with section 520.1 of the School Code and shall seek maximum authority for the operation of the School District under applicable law; and

8. Definitions of capitalized words in this Resolution shall be as follows unless the context clearly indicates otherwise:

a. "Superintendent" means the superintendent or any interim or substitute superintendent and includes the designee(s) of any of them;

b. "Assistant Superintendent" means the assistant superintendent or any interim or substitute assistant superintendent and includes the designee(s) of any of them;

- c. "Business Administrator" means the business administrator or any interim or substitute business administrator and includes the designee(s) of any of them;
- d. "Director of Human Resources" means the director of human resources or any interim or substitute director of business administrator and includes the designee of any of them;
- e. "Employees" means any employees of the School District and includes any officials, contractors or consultants performing work for the School District;
- f. "Governor" means the Governor of the Commonwealth of Pennsylvania and includes his senior staff;
- g. "Required By Law" means a mandate or prohibition that compels the School District to act or to refrain from acting and that has been stated by the Governor or the Secretary as an order or requirement, whether or not such statement is enforceable in a court of law. Required By Law includes, but is not limited to, Executive Orders, Proclamations issued in accordance with the Emergency Management Services Act, court orders, waivers issued the Secretary; and guidance documents issued by the Pennsylvania Department of Education or by the Governor's office;
- h. "School Board" means the board of school directors of the Ringgold School District;
- i. "School District" means the Ringgold School District;
- j. "Secretary" means the Pennsylvania Secretary of Education; and
- k. "Senior Management" means the Superintendent, the Assistant Superintendent, the Business Administrator and the Director of Human Resources.

C. Curriculum, Education & Technology – Chairperson: Mr. Mauro Co-chairpersons: Mrs. Bobnar, Mr. Gerard and Mrs. Garry –

*Prior to finishing the roll call on the below motion, the Board met in Executive Session to discuss Personnel Matters.

1. Motion to pay employees

The Board, by a 1-8 vote to the call of the roll of the nine members participating, failed to approve a motion by Mr. Mauro, seconded by Mr. Dodd, to continue to pay all employees during the school closures.

Voting Yes - Messr.: Mauro

Voting No - Messrs.: Dodd, Gerard, Kennedy, and Stein. Mesdames: Flament, Bobnar, Ott and Garry

D. Athletics – Chairperson: Mrs. Garry Co-chairpersons: Mr. Gerard, Mr. Kennedy and Mr. Mauro

Mr. Gerard announced that as everyone had been provided with a copy of the Board agenda and the addendums, and had the opportunity to review each motion, he made a motion to approve items 1 through 2 as stated below, which motion was seconded by Mrs. Garry. The Board, by a unanimous vote to the call of the roll of the nine members participating, approved the following motions.

1. Appointment of A Coach

To approve the coaching appointments, they are subject to contract documents prepared by the Administration and Solicitor and the individuals are required to sign a contract and Coach's Code of Ethics and Conduct documents as a condition of their employment. All clearances and a drug test are mandatory and have been received. The salary is based on the 2019-2020 Budget.

Spring Coaches

1. Softball
 - a. Ashley Manges – Head Middle School Coach at a salary of \$1,750.00 (annual contract)
 - b. Alissa Nolf – Assistant Middle School Coach at a salary of \$1,500.00 (annual contract)
 - c. John Resosky – Volunteer Assistant Coach (annual contract)
2. Boys Tennis
 - d. Mike Warchol – Volunteer Assistant Coach (annual contract)

2. **PIAA Championship Requests**

To authorize any athlete(s) and/or team(s) to attend the PIAA State Championships, if they were to qualify. The following are the dates for each trip:

1. Boys Tennis
 - a. Team Championships – May 15-16, 2020 in Hershey, PA
 - b. Individual Championships – May 22-23, 2020 in Hershey, PA
2. Track & Field – May 22-23, 2020 at Shippensburg University
3. Baseball – June 11-12, 2020 at Penn State University
4. Softball – June 11-12, 2020 at Penn State University

*Each trip would include lodging, travel (transportation & tolls), and meals for all coaches and athletes. Exact estimate would be calculated based on the size of each team or how many individuals qualify.

E. **Health and Nutrition & Safety and Security – Chairperson: Ms. Bobnar Co-chairpersons: Mr. Dodd, Mr. Kennedy and Mrs. Flament**

No Report

F. **Facilities, Planning, and Transportation – Chairperson: Mr. Dodd Co-chairpersons: Mrs. Ott, Mr. Kennedy and Mr. Mauro**

1. **Requests for Use of Facilities**

The Board, by a unanimous voice vote of the nine members participating, approved a motion by Mr. Dodd, seconded by Mrs. Flament, granting permission for the following use of facilities requests, subject to the facilities being open.

A. **Ringgold Boys Basketball Boosters (Lisa Mauro)**

- a. The RHS cafeteria or media center for end of the year banquet on Sunday, March 29, 2020, from 3:45pm-7:15pm.
- b. Fees – \$30/Hr Custodial for hours outside normal operating hours.

B. **The Union Finley Midget Football Association (Jeana Quattrone-Resnik)**

- a. RESN gymnasium for Registration Football Sign-ups from 10:30am-12pm on Sunday, April 5, 2020.
- b. Fees – \$30/hour Custodial

C. **Ringgold Harps (Melanie Sandrock)**

- a. The RMS auditorium and surrounding areas for the Ringgold Harp tea from 8am-5:30pm on April 25, 2020.
- b. Fees – No fees associated – School Sponsored Event

D. **Ringgold Area Youth Soccer Association (Leigh-Ann Scheponik)**

- a. Use of Finleyville soccer field for spring soccer practices and games beginning March 23, 2020, and lasting until June 5, 2020.

- i. Specific dates and times will be coordinated depending upon availability of facilities
- b. Fees – No fees associated with this usage provided that the request occurs during normal operating hours and does not require the presence of additional custodial or security personnel.

E. KD Dance Studio, Inc. (Kimberly Duranti)

- a. Use of RMS Auditorium and stage for a dance rehearsal and recital on June 11, 2020, from 5-9pm and June 12, 2020, from 6-10pm.
- b. Group will be charged fees for rental (\$100/day), custodial (\$30/hour) and security (\$20/hour).
 - i. Final dollar amount will be calculated at a date closer to the event once specific needs are determined.

F. SPHS Behavioral Health (Dana Defonso)

- a. RESS facilities for a summer therapeutic program from 8:30am-12:30pm on Monday through Thursday, beginning June 22, 2020, and ending July 30, 2020.
- b. Fees – No fees associated with this usage since the request occurs during normal operating hours and does not require the presence of additional custodial or security personnel.

2. Outside Transportation Contracts

The Board, by a unanimous vote to the call of the roll of the nine members participating, approved a motion by Mr. Dodd, seconded by Mrs. Garry, to approve the amended contracts for the following carriers.

LISA AGOSTONI

1 Student	Bentworth Middle School - IU	\$120.00	Daily Rate
3 Students	Washington - CYS/HL - PM	\$75.00	Daily Rate
2 Students	Madonna	\$30.00	Daily Rate
1 Student	Mon Valley School	\$140.00	Daily Rate

RICKI CERMAK

1 Student	Transformation Learning	\$89.70	Daily Rate
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DMJ TRANSPORTATION

1 Student	Laboratory	\$200.00	Daily Rate
3 Students	Mon Valley School	\$200.00	Daily Rate
1 Student	Penn Hills	\$230.00	Daily Rate
3 Students	Washington - CYS/HL - AM	\$80.00	Daily Rate
3 Students	DT Watson	\$200.00	Daily Rate
	Monitor	\$85.00	Daily Rate
3 Students	DT Watson	\$200.00	Daily Rate

FIRST STUDENT

FIRST STUDENT				
10 Students	Seton laSalle High School		\$245.16	Daily Rate
8 Students	Laboratory		\$282.25	Daily Rate
		Monitor	\$89.00	Daily Rate
1 Student	WPS for Blind - Shared		\$150.79	Daily Rate
4 Students	Watson Institute South		\$282.25	Daily Rate

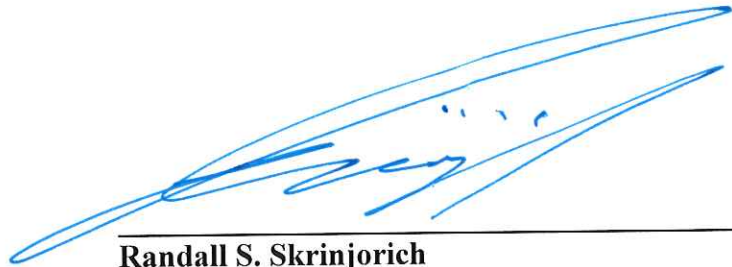
Wednesday, March 18, 2020

1 Student	Children's Institute	Monitor	\$89.00	Daily Rate
			\$282.25	Daily Rate
GG&C				
3 Students	Transformation Learning		\$235.00	Daily Rate
GINA PROFROCK				
2 Students	Bentworth Partial		\$120.00	Daily Rate
1 Student	Mon Valley Career & Technology		\$35.00	Daily Rate
1 Student	St. Sebastian School		\$75.00	Daily Rate
AMY SOWERS				
1 Student	Ringgold High School		\$46.00	Daily Rate
JOSEPH TUSTIN				
2 Students	ACLD Tillotson		\$195.00	Daily Rate
ROBERT ZALADONIS				
1 Student	Ringgold Elementary South		\$15.00	Daily Rate

XII. ADJOURNMENT

The Board, by a unanimous voice vote of the nine members participating, approved a motion by Mrs. Garry, seconded by Mrs. Flament, to adjourn.

The Board adjourned at 9:22 P.M.



Randall S. Skrinjorich
Secretary of the Board
Ringgold Board of School Directors