

October 4, 2022

**HANOVER AREA SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR MEETING**

MINUTES

October 4, 2022

**Hanover Area Junior/Senior High School
Hanover Township, Pennsylvania
October 4, 2022**

A Regular Meeting of the Board of School Directors of the Hanover Area School District was held on Tuesday, October 4, 2022 at 6:30 PM. The meeting was called to order by the Board Vice President, Dr. Vic Kopko.

PLEDGE OF ALLEGIANCE TO OUR FLAG

ROLL CALL OF BOARD MEMBERS:

PRESENT: Dr. Vic Kopko, Vice President; Joyce Potsko, Treasurer; Rick Stevens, Secretary, Paul Holmgren, Michael Mazur, Rick Oravic, and Matthew Redick.

ABSENT: Stacy Bleich; John J. Mahle, Jr.

Rick Stevens, Secretary, stated a Quorum was established for the meeting.

OTHER PEOPLE PRESENT: Mr. Nathan Barrett, Superintendent; Attorney Mark Bufalino, District Solicitor; Mrs. Lisa Kitchen, Administrative Assistant; several District Administrators; and several citizens.

Dr. Vic Kopko, Board Vice President, provided the following Executive Session Report: "Pursuant to the Pennsylvania Sunshine Act, the Acting Board President wishes to announce that at its Regular Meeting on Tuesday, October 4, 2022, the board of education of the Hanover Area School District held an Executive Session to discuss matters of employee relations, and went into a closed executive session at 5:15PM and then commenced with the public meeting at 6:30PM. The subjects discussed in executive session related solely to matters of employee relations and legal matters. Is there any public comment on Agenda Items this evening?"

George Yuhas, Tunkhannock, addressed the board from an "instruct and advise" position as a member of the public. Topics addressed included the following:

- Pertinent information (Board Exhibits) for the meeting were not posted 24 hours in advance (on website) and were unavailable (in print) prior to the public meeting with the agenda
- Violations of Sunshine Act, maladministration of current board policy, declarations of rights in Pennsylvania, free speech, and constitutional rights violations

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- Objection to continuing public meeting and taking any action on agenda items on grounds that the pertinent information was not made available for public review 24 hours prior to the public meeting

The Board of Education, on advice of the solicitor, recessed the public meeting, went into executive session, discuss the matter before them, returned and called the public meeting back to order.

Acting Board President, Dr. Vic Kopko addressed the public stating that on the advice of the solicitor, after reviewing the statute, there has been no violation of the Sunshine Act and the Board will be moving forward with the public meeting.

Mr. Yuhas attempted to instruct and advise, on a violation of the declaration of rights, but was informed by Acting President, Dr. Kopko, that his objections were noted, and the board was moving forward. Mr. Yuhas was then escorted from the speaking podium to his seat in the auditorium.

Mary Ann Potsko, resident, addressed the Board in person. Ms. Potsko noted the following:

- Found it troubling that Board Exhibits were not made available for public review. Difficult to ask questions without all information.
- Item 23 Personnel, for example, why is an agreement with Mr. Alberola needed
- No information put out there to see what many items are referring to
- How is the public supposed to know what the board is voting on or what the decision entailed without all of the information. Where are the Exhibits?

Dr. Kopko responded that on the advice of the solicitor it is believed that all vital and relevant information is available through the agenda which was provided to the public 24 hours in advance of the meeting on the district's webpage. Based upon that, the Board was moving forward with the public meeting.

Ms. Potsko continued:

- Common sense would dictate that more information is needed for all to understand what is being voted on and what the taxpayer dollars are going for
- Attorney Bufalino commented that the law does not entitle the public to know everything, citing the student disciplinary issues as an example that there are both federal and state laws that (Potsko interrupts stating that the question is regarding the approval of a policy); Bufalino replied that she is not entitled to that. Attorney Bufalino continued to explain to the public the explanation of the Sunshine Act 709c.1 and what is required by law to be posted. He asserted that the district, in posting the agenda and

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the items to be deliberated on or acted upon, was posted to the district webpage 24 hours prior to the public meeting as required by the Act.

- Potsko continued to argue that by failing to provide contents of the items to be voted upon, the district is infringing upon first amendment rights of the public to meaningfully comment on matters of business.
- Potsko asked if all school board members had access to Exhibits so that they could read and understand what they were voting on.
- The board replied in the affirmative. Potsko then remarked that if the Board had the Exhibits prior to voting, that it would not have been so difficult to provide them to the public. She then expressed her disappointment in the Board of Education, citing the tremendous obligation each board member had in acting on behalf of the district's children.

Mike Potsko, Hanover Township, addressed the Board in person. He noted the following:

- Board Policy 903 notes that all agenda items and pertinent documents will be provided to the press and the public prior to meetings. Potsko argues that the policy has not been followed, noting that is maladministration. Separate from the Sunshine Act, if the Board continues forward with the public meeting, Policy 903 has been violated.
- Asked that the first reading policies be actually read to the public and explained as to what the differences and changes are to the policies.

Dr. Kopko thanked Mr. Potsko for his time and noted that all points have been well taken by him and other board members. In light of that, Dr. Kopko stated that this public meeting would be adjourned and the board would reconvene in another meeting on October 12, 2022.

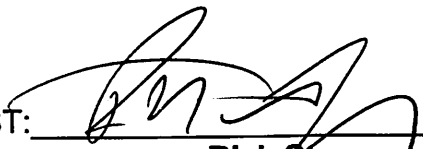
An unidentified member of the audience took to the podium to thank the board for listening to concerns brought forth, noting she works for the public and understands how difficult their positions can be. In spite of this, she reminded the board that they do serve the public and that her child comes here (to the district), so I want to know about the discipline policy. She thanked the board, again, for listening to concerns.

An unidentified member of the audience took the podium to thank the board for the decision to adjourn noting he has been to several local illegally conducted school board meetings.

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ADJOURNMENT:

Vice President Kopko thanked the public and called for Adjournment at 7:05PM.

ATTEST:  _____, Secretary
Rick Stevens
Hanover Area School Board