

Old Business:

2-23-NC7 (AMENDED)

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the appointment of April Simmons, Substitute Teacher Aide (Classroom, Special Education, *Cafeteria*, Computer Lab), effective March 4, 2023.

New Business:

3-23-G1

WHEREAS, in recent years the use and abuse of e-cigarettes and vaping devices increased dramatically among high school and middle school students, leading to significant risks of addiction and potentially life-threatening respiratory ailments; and

WHEREAS, students attending the Newark Valley Central School District (the "School District") have not been immune to this phenomenon with the School District observing students using e-cigarettes and vaping devices in school and on school grounds; and

WHEREAS, the use of e-cigarettes and vaping devices by students has caused the School District to incur costs in the form of staff time, disciplinary proceedings, and other costs, with the expectation that these costs will only increase unless and until student use of these devices decreases and stops; and

WHEREAS, the School District authorized the law firms of Ferrara Fiorenza PC, and the Frantz Law Group, APLC, to initiate litigation against Juul Labs, Inc. and other parties by board resolution relating to the production, marketing, sale, and distribution of e-cigarettes and vaping devices; and

WHEREAS, the litigation involved more than 1400 U.S. public school districts across more than 25 states; and

WHEREAS, a tentative settlement has been reached with Defendant Juul Labs, Inc. and certain individual board members, directors, executives and parties with whom Juul Labs, Inc. has indemnity agreements; and

WHEREAS, litigation against Altria and remaining defendants will continue; and

WHEREAS, partial settlement means the School District would forever release all claims against Juul Labs and the other released entities; and

WHEREAS, in return, the School District would receive certain cash payments; and

WHEREAS, the amount that the School District receives will be based on a final allocation framework recommended by the court-appointed Special Master Thomas Perrelli with the allocation framework for all governmental entities including factors such as population and litigation risk and be no less than \$8,325 for the School District; and

WHEREAS, an initial payment of approximately 54% of the settlement amount is anticipated to be paid by late 2023; and

WHEREAS, the remaining payments will be made in four installments anticipated in late- 2023, 2024, 2025 and 2026; and

WHEREAS, the Board of Education (the "Board") has determined it is necessary, advantageous, desirable, and in the public interest and the best interests of the School District that it settle this litigation against Juul Labs, Inc. and continue the litigation against remaining other parties involved with e-cigarettes and vaping devices.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the School District, as follows:

1. The Board authorizes the partial settlement of the vaping lawsuit against defendant Juul Labs, Inc. and certain individual board members, directors, executives and parties with whom Juul Labs, Inc. has indemnity agreements.
2. A Settlement with the substantive terms contained herein is hereby approved in substantially the form reviewed by the Board and together with such minor modifications as are deemed necessary by the School District's attorneys and administrators to protect the best interests of the School District.

3. The Board President, Superintendent and their designee(s) are hereby authorized to finalize, sign and enter into the Settlement Agreement on behalf of the School District and take all actions and execute all documents necessary or appropriate to carry out the intent of this Resolution.
4. This Resolution shall take effect immediately.

3-23-G2

RESOLVED, Upon the Recommendation of the Superintendent of Schools, That the Board of Education hereby adopts the 2023-2024 Instructional School Calendar as presented.

3-23-G3

Upon motion of _____, seconded by _____, the Newark Valley Central School District, at its meeting held on March 13, 2023, approved the extension of the Agreement for the Cooperative Health Insurance Arrangement of the Broome-Tioga-Delaware County Area School District Fund through June 30, 2028.

3-23-C1

RESOLVED, Upon the Recommendation of the Superintendent of Schools, That the Board of Education hereby approves the appointment of Melissa Reynolds, Substitute Teachers (certified), effective March 14, 2023.

3-23-NC1

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby accepts the resignation of Patricia Carlin, Food Service Worker/Helper, effective March 17, 2023.

3-23-NC2

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby accepts the retirement resignation of Catherine Celiberti, Teacher Aide (Special Education), effective June 30, 2023.

3-23-NC3

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the appointment of Patricia Carlin, Substitute Food Service Worker/Helper, effective March 18, 2023.

3-23-NC4

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the appointment of Catherine Celiberti, Substitute Teacher Aide (Classroom, Special Education, Computer Lab, Cafeteria), effective July 1, 2023.