

The Gilbertsville-Mount Upton Central School District is committed to an educational environment that assures equitable opportunity for individuals to become College and Career Ready and ultimately, responsible, productive members of society. We will encourage all individuals to do their personal best, that they may gain a lifelong enthusiasm for work and learning.

GILBERTSVILLE-MOUNT UPTON CENTRAL SCHOOL DISTRICT

693 State Highway 51

Gilbertsville, New York 13776

Monday, October 31, 2022

Special Meeting, 7:30 am, D131

AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

EXECUTIVE SESSION

-Details of proposed, current, or pending litigation.

I. RECOMMENDED ACTIONS – ROUTINE MATTERS

APPROVE AGENDA

RESOLVED, to approve the 31 October 2022, regular consent agenda. **(Enclosure 1)**

II. RECOMMENDED ACTIONS-NEW BUSINESS

NEW ITEMS CONSENT AGENDA

RESOLVED, upon the recommendation of the Superintendent of Schools, to accept/approve the 31 October 2022, New Items Consent Agenda.

SECOND PUBLIC COMMENT

SECOND EXECUTIVE SESSION

ADJOURNMENT

**Gilbertsville-Mount Upton Board of Education
Special Meeting
Monday, October 31, 2022**

New Items Consent Agenda

The Board of Education will be asked to accept/approve the following New Items Consent Agenda as recommended by the Superintendent of Schools:

Authorizing Commencement of E-Cigarettes and Vaping Litigation (encl N1)

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

WHEREAS, the use of e-cigarettes and vapid devices by students has caused the Gilbertsville-Mount Upton Central School District (the "School District") to incur costs in the form of staff time, disciplinary proceedings, and other costs with the exception that these costs will only increase unless and until student use of these devices decreases; and

WHEREAS, the School District's Board of Education (the "Board") has been invited to join a nation-wide lawsuit by school districts against Juul Labs, Inc. the largest seller of e-cigarettes in the United States and other parties responsible for the production, marketing, sale and distribution of e-cigarettes and vaping devices; and

WHEREAS, the Board wishes to join this lawsuit to discourage the proliferation of e-cigarettes, end the marketing of e-cigarettes to children, and seek compensation for harm caused to the District due to e-cigarette use.

NOW, THEREFORE, BE IT RESOLVED, the Board of Education hereby resolves:

1. To appoint the law firms of Ferrara Fiorenza PC, and the Frantz Law Group, APLC, and approve the agreement to provide legal services in connection with pursuing claims for damages against Juul Labs, Inc. and other consistent with the recitals above;
2. To authorize the Superintendent to take all steps necessary for the District to become an active co-plaintiff to pretending litigation filed on behalf of school districts Nationwide by the Frantz Law Group against Juul Labs, Inc. and others.

**RESOLUTION AUTHORIZING COMMENCEMENT OF E-CIGARETTES AND
VAPING LITIGATION**

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

WHEREAS, the use of e-cigarettes and vapid devices by students has caused the Gilbertsville-Mt. Upton Central School District (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

WHEREAS, the School District’s Board of Education (the “Board”) has been invited to join a nation-wide lawsuit by school districts against Juul Labs, Inc. the largest seller of e-cigarettes in the United States and other parties responsible for the production, marketing, sale and distribution of e-cigarettes and vaping devices; and

WHEREAS, the Board wishes to join this lawsuit to discourage the proliferation of e-cigarettes, end the marketing of e-cigarettes to children, and seek compensation for harm caused to the District due to e-cigarette use.

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1. To appoint the law firms of Ferrara Fiorenza PC, and the Frantz Law Group, APLC and approve the agreement to provide legal services in connection with pursuing claims for damages against Juul Labs, Inc. and others consistent with the recitals above;
2. To authorize the Superintendent to take all steps necessary for the District to become an active co-plaintiff to pending litigation filed on behalf of school districts Nationwide by the Frantz Law Group against Juul Labs, Inc. and others.

Dated: October 25, 2022

District Clerk
Gilbertsville-Mt. Upton Central School District