

**Oxford Academy & Central School Board of Education  
Special Meeting  
September 18, 2023**

Mrs. Gates called the meeting to order at 3:45 p.m.

**Call to Order**

Mrs. Gates led those present in the flag salute.

**Flag Salute**

Additions: None

**Additions/**

Deletions: None

**Deletions**

Present were Trustees: Julie Gates, John Godfrey, Nathaniel Emerson, Matthew Leach and Brian Sheridan.

**Present**

District Clerk Michele Rice

**Visitors**

**Visitors**

Dr. Terrance Dougherty

**Business Office**

Mr. Godfrey made a motion, seconded by Mr. Emerson to approve resolution G1. Yes-5, No-0, Motion carried.

**09-23(2) G1**

**BE IT RESOLVED:** Upon the recommendation of the Superintendent of Schools, that this Board does hereby approve

**Partial  
Settlement of  
Vaping  
Litigation**

**RESOLUTION AUTHORIZING PARTIAL SETTLEMENT OF VAPING LITIGATION**

**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 Oxford Academy & 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 Altria Group, Inc. and Philip Morris USA, Inc., Altria Client Services LLC, Altria Enterprises LLC, and Altria Group Distribution Company (collectively "Altria") by board resolution relating to the production, marketing, sale, and distribution of e-cigarettes and vaping devices; and

**WHEREAS**, a tentative settlement has been reached with Defendant Altria whereby in return for discontinuing the litigation, the School District would receive certain cash payment; and

**WHEREAS**, the amount that the School District receives will be no less than \$2,524 ; 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 Altria.

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

The Board authorizes the partial settlement of the vaping lawsuit against defendant Altria.

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.

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.

This Resolution shall take effect immediately.

### **Personnel**

Mr. Emerson made a motion, seconded by Mr. Leach to approve resolutions C1-C2. Yes-5, No-0, Motion carried.

#### **09-23(2) C1**

### **Authorizing Individual Employment Agreement for Interim Superintendent Position**

#### **And Appointment of Interim Superintendent of Schools**

**BE IT RESOLVED:** Upon the recommendation of the Oxford Academy Board of Education, that this board does hereby appoint Dr. Terrance P. Dougherty as Interim Superintendent and approve the Employment Agreement as presented, effective September 19, 2023.

**Appointment  
&  
Employment  
Agreement of  
Interim  
Superintendent**

#### **09-23(2) C2**

**BE IT RESOLVED:** that the Oxford Academy & Central School Board of Education does hereby appoint Dr. Terrance P. Dougherty to the following as Interim Superintendent:

- Interim Superintendent – Dr. Terrance P. Dougherty
- Clerk Pro-Tem – Dr. Terrance P. Dougherty
- Purchasing Agent – Dr. Terrance P. Dougherty
- Safeguard of all Fixed Assets – Dr. Terrance P. Dougherty
- Attendance Officer – Dr. Terrance P. Dougherty
- Approve Budget Transfers – Dr. Terrance P. Dougherty
- Approve Change/Field Orders under \$20,000 - Dr. Terrance P. Dougherty
- Approve Conference Attendance - Dr. Terrance P. Dougherty
- Authorize Disposals - Dr. Terrance P. Dougherty
- Payroll Certification - Dr. Terrance P. Dougherty
- Legislative Liaison - Dr. Terrance P. Dougherty
- Compliance Officers - Dawn Hover and Dr. Terrance P. Dougherty
- Enter into Contracts for Services on Behalf of OACSD - Dr. Terrance P. Dougherty

### **Planning**

Mrs. Gates noted the following reminders.

- October 2, 2023 – BOE Meeting, 6 pm MS Conference Room

**Reminders**

### **Public Comment**

None

At 3:47 p.m., Mr. Emerson made a motion, seconded by Mr. Leach to enter into executive session for the purpose of the medical, financial, credit and/or employment history of a particular person or corporation, and/or matters leading to the appointment, employment,

**Executive  
Session**

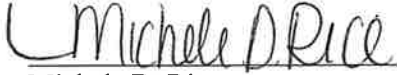
promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Yes-5, No-0, Motion carried. Dr. Terrance Dougherty was invited to attend.

At 4:45 p.m., Mr. Emerson made a motion, seconded by Mr. Leach to come out of executive session.

**Come out of  
Executive  
Session**

There being no further action to come before this Board, Mr. Emerson made a motion, seconded by Mr. Leach to adjourn. Yes-5, No-0, Motion carried.

Meeting adjourned at 4:46 p.m.



Michele D. Rice  
District Clerk

**Meeting  
Adjourned**