

PROPERTY TRANSFERS

The following property transfers were recorded at the Luzerne County Courthouse from the week of September 28-October 4, 2001.

- Amerada Hess Corporation to Joseph C. Mantione Jr. et ux see deed, Dallas Borough, \$235,000.
- John Panco et ux to Joseph P. Alexander Jr. Lot 3 Naugle Panco Sub., Lehman Twp., \$30,000.
- Anthony Polit et ux to Louis B. Bonita Jr. et ux Lot 4A Oakhill Sub., Lehman Twp., \$180,000.
- Joseph F. Funke to Richard J. Fufaro et ux, 92 Lehman Ave., Dallas Borough, \$103,880.
- William F. Kingsbury Jr. et ux to Donna M. Krzywicki, Lt 24A&B, 26A&B Fern Ridge, Dallas Twp., \$75,000.
- Edward F. Paluski et ux to Jay S. Meyer et ux, Lots 22, 23 Crownhill Vlg., Franklin Twp., \$158,000.
- Loy L. Harmon et ux to James E. Roberts et ux, Lots 7, 8C Trucksville Gdn, Kingston Twp., \$149,900.
- Charles C. Smith Jr. et ux to Donald R. Puza Jr. et ux, Lot 32C Trucksville Gdns., Kingston Twp., \$124,000.
- Ernestina Manning to Timothy J. Conrad et ux, 77 S. Thomas Ave., Kingston Twp., \$57,500.
- William DeAngelo et ux to Lotfripour, Narges & Asghar, P19 Rose Village, Kingston twp., \$3,000.

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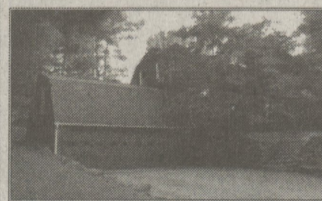
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MLS #01f0210



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Judy R 714-9230 \$138,900
MLS # 11LF0516



Lewith & Freeman, Kingston
Office Phone: 570-288-9371
Judy Rice
Agent Phone: 570-714-9230
E-mail: judyrice@eplx.net

Student lawsuit against Dallas alleges discrimination

By **HEATHER B. JONES**
Post Staff

DALLAS - Dallas School District is being sued by a student who believes he has been discriminated against because of his disability.

Philip Pack, III, Shavertown, claims the school district violated the Americans with Disabilities Act, the Rehabilitation Act, the Individuals with Disabilities Education Act and his civil rights, according to the lawsuit filed in U.S. District Court for the Middle District of Pennsylvania on September 14.

The school district received notification of the suit pending in Federal Court, said Dr. Gilbert Griffiths, superintendent. Griffiths had no comment on the lawsuit.

Pack, a Dallas High School student, suffers from severe, persistent, and debilitating migraine headaches. His abilities have been limited due to the migraines in such activities as working, studying, learning, engaging in social interaction, performing manual tasks, sitting, standing, walking, sleeping and eating, according to the lawsuit.

Due to the migraines, Pack has been absent from school on a relatively frequent basis over the past three years. Philip Pack, Jr., and Betsy Pack, his parents, informed the school district of Pack's medical problem and sought accommodations for their son to receive appropriate education.

According to the complaint, during a meeting between Betsy Pack and Frank Galicki, Dallas High School Principal, on December 11, 1998, Galicki said it

was not the district's responsibility to forgo any added expenses for Pack's remediation or accommodations. Galicki suggested they take no further action and see what the future might bring. He said he would monitor the situation until the end of the semester.

Galicki also suggested to Pack's parents that their son should "suck it up," the plaintiffs charge.

An unidentified biology teacher at the high school mentioned in the complaint told Pack's biology class that he was absent on days of examinations due to "test anxiety." The teacher also dismissed Pack's medical condition and disability and told him he must learn to "face his fears."

From December 11, 1998 to February 21, 1999, the school district provided no remediation or accommodations to Pack. On February 21, 1999, Pack's parents submitted a written request to the district for a service agreement under the Individuals with Disabilities Education Act.

In March of 1999 the district and the Packs reached a service agreement which provided homebound instruction.

During the 1998-1999 and 1999-2000 school year, teachers did provide Pack with make-up examinations. The exams were intentionally and deliberately more difficult than the original examinations given to non-disabled students, states the law-

suit. At the end of the 1998-1999 school year, according to court documents, Pack's academic performance entitled him to an award presented at the school district's awards banquet. Pack did receive an invitation to the banquet, but later had the invitation rescinded by the district as a result of Pack's disability, claims the lawsuit.

In January of 2000 Pack returned to Dallas High School. The district did not inform Pack's teachers of the existing service agreement or of his disability, the lawsuit states. This led to Pack refusing to take a social studies test after an extended absence. He was physically escorted to the administration office and told to remain in a room until he decided to take the test. The complaint alleges during this incident Pack's request to see the school nurse was denied.

During the 1999-2000 school year, Pack was not provided with remediation or compensatory education by his teachers nor was he receiving homebound instruction. The alternative provided by the school district was peer tutors, which were fellow students of Pack's. The peer tutors were allegedly told of Pack's medical condition without his consent. The peer tutors were ineffective and did not provide appropriate education for Pack, the complaint stated.

Pack's parents contacted the Pennsylvania Department of Ed-

ucation which cited the Dallas School District on four separate violations of the service agreement it had with Pack.

At the end of the 1999-2000 school year, the district denied Pack an invitation to the awards banquet. The reason given was that he had failed to complete certain work. The service agreement excused Pack of the work in question. Under protest of his parents the district relented and allowed Pack to attend the banquet.

By November of 2000 Pack returned to homebound instruction. According to the complaint, the district failed to provide Pack with sufficient instruction to complete his first semester work before the start of the second semester.

Pack began taking his courses through the Keystone National High School and on line. He continued physically taking minor courses, such as art, at Dallas High School.

Other allegations contained in the lawsuit include:

- At a January 29, 2001, meeting Frank Galicki, Dallas

High School principal, rendered a specific objection that permitting such accommodations to Pack, could allow him to be eligible for such district academic awards as the valedictorian honor.

• At the end of the school year, Pack was academically eligible for admission into the National Honor Society. The district, upon Galicki's objection, denied Pack admission on the basis he did not participate in extracurricular activities. The lawsuit claims Pack engaged in an equal amount of extracurricular activities as other accepted district students.

When Pack's parents requested reconsideration of their son's entrance into the National Honor Society, the district denied the request.

The Pennsylvania Department of Education cited Dallas again on July 17 for failing to comply with Pack's service agreement.

Pack is seeking \$500,000 in damages. The case has been assigned to Judge James M. Munley.

PSU W-B's Haunted Forest

Penn State Wilkes-Barre Student Government Assoc. and campus clubs will hold their 4th Annual Haunted Forest fund raiser Oct. 19, 20, 21, 26, 27, and 28 from 7 to 11 p.m. All proceeds will benefit cancer research. Tickets are available at the door for \$5. For directions to the campus or more info., call 675-9287 or 675-9284.

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