

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

DR. SUSAN KEGERISE,	:	No. 877 MAL 2016
	:	
Respondent	:	
	:	
v.	:	Petition for Allowance of Appeal from
	:	the Order of the Commonwealth Court
	:	
	:	
KATHY L. DELGRANDE, JOHN F.	:	
DIETRICH, CLIFTON D. EDWARDS,	:	
CAROL L. KARL, JESSE RAWLS, SR.,	:	
DR. PETER J. SAKOL, HELEN D.	:	
SPENCE, AND MARK Y. SUSSMAN, IN	:	
THEIR OFFICIAL CAPACITY,	:	
	:	
Petitioners	:	

ORDER

PER CURIAM

AND NOW, this 17th day of May, 2017, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by Petitioner, are:

- a. Whether the Commonwealth Court majority’s holding that a claim of constructive discharge does not require actual resignation conflicts with the United State Supreme Court’s holdings in *Green v. Brennan*, 136 S.Ct. 1769 (2016) and *Pennsylvania State Police v. Suders*, 124 S.Ct. 2342 (2004)[?]

- b. Whether the Commonwealth Court majority’s holding that a claim of constructive discharge does not require actual resignation conflicts with this Court’s decision in *Pennsylvania Labor Relations Bd. v. Sand’s Ref. Corp.*, 240 A.2d 801 (Pa. 1968) or the Superior Court’s decisions in *Kroen v. Bedway Sec. Agency, Inc.*, 633 A.2d 628 (Pa. Super 1993) and its progeny[?]

- c. Whether the Commonwealth Court majority erred as a matter of law and so abused its discretion as to call for this Court's review in concluding that Kegerise had a clear right to relief in mandamus pursuant to Section 1080 of the Public School Code, even though Section 1080 is silent as to the District's obligations in the face of a superintendent's resignation[?]