

September 18, 2018

The Clark-Shawnee Local Board of Education met in a regular session on September 18, 2018 at the Shawnee High School Media Center located at 1675 East Possum Rd., Springfield, Ohio 45502. The meeting was called to order at 7:00 p.m. by President Garrett. Those answering the roll by Mr. Faulkner:

Mrs. Pierce
Dr. Page
Mr. DeHart
Mr. Barnes
Mrs. Garrett

Also present: Mr. Brian Kuhn, Superintendent
Mr. Brian Masser, Asst. Superintendent

Visitors: Donna DeHart Cindy Barnes Nancy Lyden

All stood and recited the Pledge of Allegiance.

ACCEPTANCE OF THE AGENDA (2018-925)

Dr. Page moved to accept the agenda and addendum. Minutes from the August meeting will be approved at the October meeting. Housing development update added to the agenda as item AA.

Mrs. Pierce Seconded the motion.
Ayes: Garrett, Pierce, Page, DeHart, Barnes.
The President declared the motion carried.

ACCEPTANCE OF CONSENT CALENDAR – FINANCIAL (2018-926)

Mr. Barnes moved to approve the following:

1. Treasurer's Report and Condition of the Funds
2. Monthly Bills and Allowance of those that are in order
3. Donation of computer equipment from Clark State
4. Adopt Permanent Appropriations at the Fund Level
5. Hearing: IDEA Special Education Grant
6. Fund Transfer
Transfer \$360.74 from fund 599 9018 to fund 572 9018.

Mrs. Pierce seconded the motion.
Ayes: Pierce, Page, DeHart, Barnes, Garrett.
The President declared the motion carried.

Dr. Page moved to approve the following:

ACCEPTANCE OF CONSENT CALENDAR – PERSONNEL (2018-927)

Resignations

Support Staff

To accept Ms. Jana Reading, Latchkey Coordinator at Possum School, letter of resignation effective September 12, 2018.

To accept Mrs. Rhonda West, Secretary at Possum School, letter of resignation effective September 21, 2018.

Certified Additional Duty

To accept Mr. Garry Barhorst, Teacher at Shawnee High School, letter of resignation from his position of Mathematics Department Chair for the 2018-2019 school year.

Employment

Certified Staff

To employ Mrs. Alyssa Hellwig as part-time Tutor for the 2018-2019 school year. [Current Assignment - Shawnee Middle School]

To employ Mrs. Linda Slusher, as part-time Tutor for the 2018-2019 school year. [Current Assignment—Reid School]

Certified Additional Duty

To employ Ms. Carrie Johnston as Head Swimming Coach for the 2018-2019 school year.

To employ Mr. Jeffery Mayfield as Before School Supervisor for the 2018-2019 school year.

Additional Duty Support Staff

The following supplemental positions for the pupil activity programs in the Clark-Shawnee Local School District were first offered to those employees of the District who are licensed individuals and no such employee applied and was qualified to fill the position such that the position was accepted by any such employee. The Board then advertised the position as available to any licensed individual who is qualified to fill it and who is not employed by the Board, and no such person has applied for and accepted the position. Thus, the Board resolved to employ the following non-licensed individuals to fill the following supplemental position.

To employ Mr. Mark Armstrong as Head Varsity Baseball coach at Shawnee High School for the 2018-2019 school year. Mr. Armstrong is a lay coach.

To employ Mr. Wesley Miller as Head Varsity Wrestling Coach for the 2018-2019 school year. Mr. Miller is a lay coach.

To employ Mr. Charles Mowell as Varsity Boys Bowling Coach for the 2018-2019 school year.

To employ Mr. Chris Roberts as Head Varsity Softball Coach for the 2018-2019 school year.

To employ Mr. Dave White as Varsity Girls Bowling Coach for the 2018-2019 school year.

Certified Substitutes

To employ Mr. Gregg Morris as Substitute Teacher for the 2018-2019 school year.

Non-Paid Medical Leave

To approve Mrs. Jodie Noffke, Bus Driver, request for non-paid medical beginning August 15, 2018 for approximately six to eight weeks.

FMLA Leave Request

To approve Mr. Bret Adams, Custodian, request for Family Medical Leave beginning August 13, 2018 through September 30, 2018.

Mr. DeHart seconded the motion.
Ayes: Page, DeHart, Barnes, Garrett, Pierce.
The President declared the motion carried.

Mrs. Pierce moved to approve the following:

Certified Additional Duty—Cheerleading

Mrs. Cynthia Barnes as High School Basketball Cheerleading Advisor for the 2018-2019 school year.

Mr. DeHart seconded the motion.
Ayes: DeHart, Garrett, Pierce, Page.
Mr. Barnes abstained.
The President declared the motion carried.

Mr. DeHart moved to approve the following:

Non-Paid Leave

To approve Mr. Kenneth Clark, Courier, request for non-paid leave from August 27-31, 2018.

To approve Mrs. Constance Denney, Bus Driver, request for non-paid leave from September 27 - October 3, 2018.

To approve Mrs. Kate Johnson, Teacher, request for non-paid leave from November 16-20, 2018.

To approve Mrs. Debra Sexton, Bus Driver, request for non-paid leave from October 8-10, 2018.

Mr. Barnes seconded the motion.

Ayes: Barnes, Garrett, Pierce, Page, DeHart.

The President declared the motion carried.

ACCEPTANCE OF CONSENT CALENDAR – MISCELLANEOUS (2018-928)

Mr. DeHart moved to approve the following:

Washington D.C. Trip—Shawnee Middle School

To approve Ms. Amanda Ike, Shawnee Middle School Principal, request for permission for the eighth grade Washington D.C. trip to take place March 20-23, 2019. There will be no cost to the district.

Naming the Clark-Shawnee Soccer field the David R. Roberts Field

Whereas David R. Roberts retired as an educator and coach from the Clark-Shawnee Local School District in 2005 after 32 years of service teaching Industrial Arts and Physical Education in three of the district's four schools; and

Whereas David R. Roberts founded soccer at Shawnee High School in 1980, seven years before it became a Central Buckeye Conference sport; and

Whereas during David R. Roberts's 17-year tenure as Head Boys Soccer Coach at Shawnee High School, he maintains the record as the winningest coach in school history; and

Whereas David R. Roberts remains to this day, an avid supporter of Clark-Shawnee and Clark-Shawnee athletics;

Now Therefore Be It Resolved that the Clark-Shawnee Local Board of Education honors Mr. David R. Roberts for his service as an educator and coach to the students and athletes of Clark-Shawnee Local; and

Be It Further Resolved that the Clark-Shawnee Local Board of Education dedicates the soccer field located in the Miller-Schilke Athletic Complex by naming the field the David R. Roberts Field and that a sign, so stating, shall be installed.

Dr. Page seconded the motion.

Ayes: Garrett, Pierce, Page, DeHart, Barnes.

The President declared the motion carried.

Mrs. Pierce moved to go into executive session for the purpose of considering discipline of personnel at 7:59 p.m.

Mr. Barnes seconded the motion.

Ayes: Pierce, Page, DeHart, Barnes, Garrett.

Mrs. Garrett declared the Board back in session at 8:21 p.m.

Dr. Page moved to approve the following:

RESOLUTION TO TERMINATE THE NON-TEACHING CONTRACT OF VIRGINIA DUBIE (2018-929)

WHEREAS, Ohio Revised Code Section 3319.081 provides that a nonteaching employee may be terminated by a majority vote of the board of education for the employee's violation of written rules and regulations as set forth by the board of education, or for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, or any other acts of misfeasance, malfeasance, or nonfeasance; and

WHEREAS, the Clark-Shawnee Local School District Board of Education ("Board") employs Virginia Dubie ("Dubie") in the position of bus driver under a nonteaching contract pursuant to Ohio Revised Code Section 3319.081; and

WHEREAS, on September 13, 2018, Dubie was notified in writing that she was being placed on paid administrative leave effective immediately as a result of findings from an internal investigation conducted by the administration regarding violations of the Clark-Shawnee Local School District Board of Education's Policy 4213, Student Supervision and Welfare; Clark-Shawnee Local School District Board of Education's Policy 7530.02, Staff Use of Personal Communication Devices; Clark-Shawnee Local School District's Administrative Guideline 4440C, Use of School Vehicle for School

Business; the Clark-Shawnee Local Transportation Handbook; Ohio Department of Education Pupil Transportation Policies, & Department of Transportation Rules and Regulations; as well as Dubie's admission during a pre-disciplinary hearing held on September 13, 2018, to taking prescription medication(s) prior to and/or during a bus route driven on September 13, 2018; and

WHEREAS, also on September 13, 2018, Dubie was notified in writing of the Superintendent's intent to recommend to the Board at its regular public meeting on September 18, 2018, that her non-teaching employment contract with the District be terminated effective immediately, on the grounds set forth in the notice and as reflected above; and

WHEREAS, in the September 14, 2018, written notice of intent to terminate, Dubie was notified in writing that she was entitled to a pre-termination hearing before the Board regarding the matters reflected in the notice, with the pre-termination hearing offered to Dubie to occur at the Board's regular public meeting on September 18, 2018; and

WHEREAS, Dubie did not attend the due process hearing before the Board at its regular public meeting on September 18, 2018, and had a full opportunity to be heard on the allegations as stated above and in the notice of intent to terminate which serve as grounds for the Superintendent's recommendation to the Board that Dubie's employment contract with the District be terminated pursuant to Ohio Revised Code Section 3319.081; and

WHEREAS, the Board has reviewed and fully considered the recommendation of the Superintendent regarding these matters, as well as all evidence and testimony presented to the Board regarding these matters; and

WHEREAS, the Board has determined upon said review and consideration that the conduct of Virginia Dubie as set forth in the grounds for the Superintendent's intent to terminate Virginia Dubie's non-teaching employment contract with the District, as well as set forth above, constitutes violations of written rules and regulations of the Board, dishonesty, neglect of duty, malfeasance and nonfeasance;

NOW THEREFORE BE IT RESOLVED that pursuant to Ohio Revised Code Section 3319I.081, the Clark-Shawnee Local School District Board of Education hereby acts to accept the Superintendent's recommendation to terminate the nonteaching employment contract of Virginia Dubie effective immediately on the grounds of violations of written rules and regulations of the Board, and for conduct which also constitutes dishonesty, neglect of duty, malfeasance and nonfeasance, to wit:

- On September 1, 2018 you were involved in a bus accident and did not follow accident procedures outlined in the Clark-Shawnee Local Bus Driver Handbook. You acknowledged that you knew the procedures but did not follow them. This is a violation of the Clark-Shawnee Board of Education Policy 4213—Student Supervision and Welfare; Clark-Shawnee Local School District's Administrative Guideline 4440C—Use of School Vehicles for School Business; and the Clark-Shawnee Local Bus Driver Handbook.
- On September 10, 2018, you were involved in a bus accident and did not follow accident procedures outlined in the Clark-Shawnee Local Bus Driver Handbook. You acknowledged that you knew the procedure but did not follow them. This is a violation of the Clark-Shawnee Board of Education Policy 4213—Student Supervision and Welfare; Clark-Shawnee Local School District's Administrative Guideline 4440C—Use of School Vehicles for School Business; and the Clark-Shawnee Local Bus Driver Handbook.
- On multiple occurrences, including but not limited to September, 11, 2018, you used your iWatch and engaged in speech-to-text messaging while operating a school bus. This is a violation of the Ohio Pupil Transportation Operation and Safety Rules, Clark-Shawnee Board of Education Policy 7530.02—Staff use of Personal Communication Devices; and the Clark-Shawnee Local Bus Driver Handbook.
- You were documented travelling at a speed 15 miles above the posted speed limit. This is a violation of the Ohio Pupil Transportation Operation and Safety Rules and the Clark-Shawnee Local Bus Driver Handbook.
- You admitted to ingesting medication prescribed by a physician during your morning bus route on September 13, 2018. There is further evidence

that you failed to disclose more than one medication during the physical recertification process for the 2018-2019 school year. Failure to disclose medication is a violation of OAC 3301-83-07—School Transportation Driver Physical Qualifications Rule.

BE IT FURTHER RESOLVED that the Clark-Shawnee Local School District Board of Education hereby directs its Treasurer to issue written notice of this action forthwith to Virginia Dubie by certified U.S. mail, and further directs its Superintendent and Treasurer to resolve any remaining items under the administration’s control with respect to the employment of Virginia Dubie with the Clark-Shawnee Local School District.

Superintendent

President

Treasurer

Vice-President

Member

Member

Member

Mr. Barnes seconded the motion.
Ayes: Page, DeHart, Barnes, Garrett, Pierce.
The President declared the motion carried.

Mr. DeHart moved to go into executive session for compensation of personnel at 8:22 p.m.

Mr. Barnes seconded the motion.
Ayes: DeHart, Barnes, Garrett, Pierce, Page.

Mrs. Garrett declared the Board back in session at 8:39 p.m.

Mr. DeHart moved to go into executive session for a complaint concerning personnel at 8:39 p.m.

Mrs. Pierce seconded the motion.

Ayes: Barnes, Garrett, Pierce, Page, DeHart.

Mrs. Garrett declared the Board back in session at 9:45 p.m.

Dr. Page gave a Housing Development Update concerning the proposed TIF.

Adjournment

Mr. Barnes moved to adjourn the meeting at 10:10 p.m.

Mr. DeHart seconded the motion.

Ayes: Garrett, Pierce, Page, DeHart, Barnes.

The President declared the motion carried

President

Treasurer