

April 6, 2020

The Clark-Shawnee Local Board of Education met in special session on April 6, 2020 in a virtual meeting. The meeting was called to order at 7:09 p.m. by President Pierce. Those answering the roll by Mr. Faulkner:

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

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

Visitors- Sarah Smith  
Jeff Bumgardner  
Ken Brust.

**Resolution of the Board to Carry Out Board Meetings Via Electronic Means During the COVID-19 State of Emergency (2020-1059)**

Dr. Page moved to approve the following:

WHEREAS, on March 9, 2020 the Governor of the State of Ohio issued Executive Order 2020-01D (the "Order"), declaring a state of emergency to protect the well-being of the citizens of the Ohio from the dangerous effects of COVID-19; and

WHEREAS, subsequent to issuance of the Order, the legislature put in place uncodified emergency provisions via passage of Ohio House Bill (HB) 197 ("HB 197") providing public bodies the authority to hold and attend meetings by means of teleconference, video conference, or any other similar electronic technology ("electronic means") in lieu of carrying out such meetings in person; and

WHEREAS, HB 197 provides public bodies the authority to carry out meetings by such electronic means during the period of the emergency declared by the Order issued March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date; and

WHEREAS, HB 197 provides that board members attending meetings by electronic means are considered present as if they were attending in person, are permitted to vote, are counted for quorum, and any public action taken by such electronic means under such emergency provisions has the same effect as if it were taken in an open meeting of the public body; and

WHEREAS, the important governance functions and public business of public bodies still must continue even in the exigent circumstances created by the COVID-19 outbreak; and

WHEREAS, the Clark-Shawnee Local School District Board of Education ("Board"), in an effort to continue the important public business of the public body while still safeguarding the health and well-being of the all members of the school district community, wishes to avail itself of the opportunity to hold and attend meetings by electronic means in order to carry out such important governance functions and public business in compliance with HB 197 and all other requirements set forth by Ohio's Open Meetings Act ("OMA") that are not in conflict with the provisions of HB 197; and

WHEREAS, pursuant to Board Bylaw 0131, Legislative, Ohio Revised Code (RC) 3313.20 and HB 197, and due to challenges created by the necessity to carry out such meetings by electronic means, the Board wishes to temporarily suspend its Bylaw 0169.1, Public Participation at Board Meetings, relevant provisions of its Bylaw 0167, Voting, with regard to in-person voting requirements, relevant portions of its Bylaw 0131, Legislative, with regard to being physically present requirements, and any and all other provisions of Board bylaws, policies and procedures that are in conflict with the provisions of HB 197 for the duration of the applicability of the emergency provisions and to the extent that the Board determines to avail itself, as a public body, of the ability to conduct official public meetings via electronic means in accordance with provisions of HB 197; and

WHEREAS, the Board strongly agrees with and abides by the standards set forth by OMA, including such emergency provisions as set forth by HB 197, and endeavors to fully comply with its requirements to the extent possible in light of the exigent public health and safety circumstances created by the COVID-19 epidemic through compliance with OMA provisions not in conflict with the provisions of HB 197.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Ohio House Bill (HB) 197 ("HB 197"), the Clark-Shawnee Local School District Board of Education ("Board") shall carry out its meetings either by a combination of in person attendance (with appropriate social distancing, limitation on the number of in-person attendees, and safety precautions to the extent possible) paired with electronic attendance, or solely by the electronic means set forth in the uncodified emergency provisions for the duration of the declared state of emergency created by the COVID-19 pandemic, for the time period from the date of this official action through but not beyond December 1, 2020.

BE IT FURTHER RESOLVED, that the Board hereby suspends its Bylaw 0169.1, Public Participation at Board Meetings, relevant provisions of its Bylaw 0167, Voting, with regard to in-person voting requirements, relevant portions of its Bylaw 0131, Legislative, with regard to being physically present requirements, and any and all other Board bylaws, policies and procedures in conflict with the provisions of HB 197 for purposes of compliance with Ohio's Open Meetings Act ("OMA") for the duration of the applicability of the emergency provisions provided in HB 197 for the conduct of public meetings during the state of emergency.

BE IT FURTHER RESOLVED, that the Superintendent and/or the Treasurer are authorized and directed to take all other such actions as are necessary or appropriate to accomplish the objectives of this Resolution.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an electronic meeting of this Board in full compliance with the provisions of HB197, and that all deliberations of this Board and any of its committees that resulted in such formal action took place in a meeting open to the public by electronic means or in executive session as permitted by Ohio law.

BE IT FURTHER RESOLVED, that this Resolution shall take effect and be in force from and after the earliest period allowed by law.

Mr. DeHart Seconded the motion.  
Ayes: Garrett, Pierce, Page, Dehart, Galbreath  
The President declared the motion carried.

All stood and recited the Pledge of Allegiance.

#### **ACCEPTANCE OF THE AGENDA (2020-1058)**

Mrs. Garrett moved to accept the agenda.

Mr. Galbreath Seconded in the motion.  
Ayes: Pierce, Page, DeHart, Galbreath, Garrett  
The President declared the motion carried.

#### **Fund to Fund Transfer (2020-1059)**

Mr. Dehart moved to approve the following:

To transfer \$327,824 from the General Fund to the Permanent Improvement Fund.

Dr. Page seconded the motion.  
Ayes: Page, DeHart, Galbreath, Garrett, Pierce  
The President declared the motion carried.

## **ACCEPTANCE OF CONSENT CALENDAR – PERSONNEL (2020-1060)**

Mrs. Garrett moved to approve the following:

### **Resignations**

#### **Certified Staff**

To accept Mr. Benjamin Long, Teacher at Shawnee HS, letter of resignation effective at the end of the 2019-2020 school year.

### **Employment**

#### **Certified Substitutes**

Clark County Educational Service Center Substitute Teacher List—ESC Board Approved at their regular March meeting.

#### **Additional Duty (Certified)**

To employ Mrs. Erin Delk as Middle School Assistant Track Coach for the 2019-2020 school year.

#### **Volunteers**

To employ Ms. Laurin Ellis as Volunteer High School Assistant Track Coach for the 2019-2020 school year. Ms. Ellis is a lay coach.

To employ Mr. Clay Waidelich as Volunteer High School Assistant Track Coach for the 2019-2020 school year. Mr. Waidelich is a lay coach.

#### **Certified Staff Non-Renewals for 2020-2021 school year.**

##### **Possum**

Deborah Haycox  
Lori Driskill  
Molly Meyers

##### **Area**

Floating Tutor  
Floating Tutor  
Floating Tutor

##### **Reason for Non-Renewal**

Employed on an as needed basis  
Employed on an as needed basis  
Employed on an as needed basis

##### **Reid**

Cynthia Barnes  
Don McKanna  
Linda Slusher

##### **Area**

Floating Tutor  
Floating Tutor  
Floating Tutor

##### **Reason for Non-Renewal**

Employed on an as needed basis  
Employed on an as needed basis  
Employed on an as needed basis

<u>Rockway</u>	<u>Area</u>	<u>Reason for Non-Renewal</u>
Lauren Bell	Floating Tutor	Employed on an as needed basis
Suzanne Riehle	Floating Tutor	Employed on an as needed basis

<u>Shawnee</u>	<u>Area</u>	<u>Reason for Non-Renewal</u>
Sherry Akers	Counselor	Extended Time
Amy Hibbs	Counselor	Extended Time

### **Support Staff Contracts Non-Renewals 2020-2021**

<u>Possum</u>	<u>Area</u>	<u>Reason for Non-Renewal</u>
Shelley Davis	Floating Tutor	Employed on an as needed basis
Amanda Raber	Floating Tutor	Employed on an as needed basis

<u>Reid</u>	<u>Area</u>	<u>Reason for Non-Renewal</u>
Amanda Thurman	Floating Tutor	Employed on an as needed basis

<u>Rockway</u>	<u>Area</u>	<u>Reason for Non-Renewal</u>
M. Jeannean Ingle	Floating Tutor	Employed on an as needed basis

<u>District</u>	<u>Area</u>	<u>Reason for Non-Renewal</u>
Mike Williams	Courier	Employed on an as needed basis
Donald Ellsworth	Technology	Employed on an as needed basis
Jacob Ford	Aide (Risen Christ)	Employed on an as needed basis

### **Additional Duty Non-Renewals for 2020-2021 School Year**

#### **Shawnee**

Head Football Coach	Richard Meeks
Asst. Varsity Football Coach	Devin Spitzer
Asst. Varsity Football Coach	Jeffrey Bumgardner
Asst. Varsity Football Coach	Robert Long
Asst. Varsity Football Coach	Matthew Warrington
Asst. Varsity Football Coach-CO	Rex Plymale
Asst. Varsity Football Coach-CO	Jon Stewart
Head Boys Basketball Coach	Christopher McGuire
Reserve Boys Basketball Coach	Derrick Hannon
Freshman Boys Basketball Coach	Derek Tincher
Head Girls Basketball Coach	Kari Cooper
Asst. Girls Basketball Coach	Tyler Cooper
Basketball Cheerleading Advisor	Cynthia Barnes

Head Track Coach  
Asst. Track Coach  
Asst. Track Coach  
Asst. Track Coach  
Co-Asst. Track Coach  
Co-Asst. Track Coach  
Head Baseball Coach  
Asst. Baseball Coach  
Asst. Baseball Coach-CO  
Asst. Baseball Coach-CO  
Head Wrestling Coach  
Assistant Wrestling Coach-CO  
Assistant Wrestling Coach-CO  
Yearbook Advisor  
Vocal Music  
Instrumental Music  
Asst. Instrumental Music  
Science Department Head-CO  
Science Department Head-CO  
English Department Head  
Mathematics Department Head  
Social Studies Department Head  
Foreign Language Department Head  
Head Swimming  
Asst. Swimming  
Head Girls Soccer Coach  
Asst. Girls Soccer Coach  
Head Boys Soccer Coach  
Asst. Boys Soccer Coach  
Head Powerlifting Coach  
Asst. Powerlifting Coach  
Student Council Advisor  
Site Manager – Fall  
Site Manager – Winter  
Head Volleyball Coach  
Asst. Girls Volleyball  
Freshman Girls Volleyball  
Before School Supervisor  
Before School Supervisor  
Cheerleading Advisor:  
Cheer Competition  
Football  
Head Girls Tennis Coach  
Head Girls Golf Coach  
Head Boys Golf Coach  
Head Cross Country Coach

Michael Garberich  
Jason Mattern  
Brian DeSantis  
Sara Lee  
Joseph Vanuch  
Alyssa Garberich  
Mark Armstrong  
Gage Cassell  
Mike Perks  
David Shaffer  
Jacob Mershon  
Dave Myers

Whitney Adams  
Stephanie Lange  
Taylor Leonard  
Garrett Greene  
Elizabeth Allen  
Kristin Meeks  
Elizabeth Coressel  
Rosina Matthies  
Devin Spitzer  
Kelly Wyen  
Carrie Henderson

Michael Gannon  
Haley Gannon  
Christian Davoli  
Noah Grooms  
Richard Meeks  
Jeffrey Bumgardner  
Marlo Mitch  
Christopher McGuire  
Mark Myers  
Audree Long  
Cortney Simpson  
Liz Avery  
Brenda Vinson

Marlo Mitch  
Marlo Mitch  
Lori Driskill  
Kenneth Brust  
Matt Williams  
Brian DeSantis

Asst. Cross Country Coach  
Lead Teacher Shawnee  
Head Girls Softball  
Asst. Girls Softball  
Asst. Girls Softball  
National Honor Society-CO  
National Honor Society-CO  
Freshman Facilitator  
Head Spring Musical Director  
Asst. Spring Musical Director  
Head Fall Drama Director  
Asst. Fall Drama Director  
Head Girls Bowling Coach  
Head Boys Bowling Coach

Anne Bradfield  
Mark Myers  
Chris Roberts  
Erica Ryan  
Gary Baugh  
Erin Delk  
Sara Lee  
Brenda Vinson  
Bryan Szekacs  
Beth Szekacs  
Bryan Szekacs  
Beth Szekacs  
David White  
Charles Mowell

### **M/S District**

M/S Cheer Basketball  
M/S Cheer Football  
M/S Head Football Coach  
M/S Asst. Football Coach-TRI  
M/S Asst. Football Coach-TRI  
M/S Asst. Football Coach-TRI  
M/S Asst. Football Coach  
M/S Asst. Football Coach  
M/S Head Boys & Girls Track Coach  
M/S Asst. Boys & Girls Track Coach  
M/S Asst. Boys & Girls Track Coach  
Head Girls Volleyball Coach 8th  
M/S Asst. Girls Volleyball Coach 7<sup>th</sup>  
M/S 8<sup>th</sup> Head Boys Basketball  
M/S 7<sup>th</sup> Asst. Boys Basketball  
M/S Head Girls Basketball  
M/S Asst. Girls Basketball  
M/S Head Wrestling Coach  
M/S Asst. Wrestling Coach  
M/S Head Cross Country  
M/S Play Director  
M/S Play Director  
M/S Play Director

Jennifer Craig  
Jennifer Craig  
Scott Woodruff  
David Brucker  
John Earles  
J. Charles Williams  
Mark Coppess  
Nathan VanZant  
Anne Bradfield  
Todd Ballard  
Haily Schartz  
Christina Kusmierczyk  
Kyla Greenwood  
Zachary Avery  
Jaden Greenwood  
James Ballard  
Hailey Schartz  
Luke Matthews  
James P. Matthews  
Michael Garberich  
Susan Damanti  
Stephanie Lange  
Amy Jackson

Power of the Pen Advisors – Middle School

Terry Janssen  
Darcy Leis

Mentor

Alicia Anstine

Mentor  
Mentor  
Mentor  
Mentor  
Mentor  
Mentor  
Mentor

Teresa Balcerek  
Susan Calland  
Ashley Hill  
Stephanie Lange  
Allison McClintick  
Nancy Robinson  
Brigitte Williams

### **NON-PAID LEAVE**

To approve Mrs. Bonnie Clark request for non-paid leave for two-and-three-quarters [2.75] hour on March 12, 2020.

To approve Mrs. Kimberly Milliron for non-paid leave for one-quarter [1/4] of a day on March 9, 2020.

To approve Mrs. Sherry Storts for non-paid leave for one [1] day on February 18, 2020.

Mr. Galbreath seconded the motion

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

The President declared the motion carried.

### **Resolution to Authorize Staffing and Compensation of Employees During Ordered School Closure (2020-1061)**

Mr. Galbreath moved to approve the following:

WHEREAS, the Clark-Shawnee Local School District Board of Education (“Board”) employs various administrative, supervisory, and non-bargaining employees under contracts of employment pursuant to the provisions of Ohio Revised Code Sections 3319.01, 3319.02, 3319.081, and 3313.22; and

WHEREAS, on March 12, 2020, the Governor of the State of Ohio issued an official Order closing all public K-12 schools to students effective March 17, 2020 through May 1, 2020, (“School Closure Order”) as a result of a pandemic and declared state of emergency in the State of Ohio; and

WHEREAS, the School Closure Order was amended by the Governor of the State of Ohio on March 30, 2020 closing all public K-12 schools to students through May 1, 2020; and

WHEREAS, the School Closure Order did not close public K-12 schools to employees of the schools or to adults in the school community; and



WHEREAS, the Governor, in issuing said School Closure Order, indicated in official statement: “[during] this extended period of closure, schools should work to provide education through alternative means and school district leadership may make decisions on whether to use their school buildings. Staff members should continue to report to school as directed by administrators;” and

WHEREAS, no provision is made in Ohio Revised Code Sections 3319.01, 3319.02, or 3313.22 to address the issue of payment of District administrative or supervisory employees for workdays on which school is closed due to calamity or any Order of the Governor; and

WHEREAS, Ohio Revised Code Section 3319.081 provides in relevant part that “(G) All nonteaching employees employed pursuant to this section and Chapter 124. of the Revised Code shall be paid for all time lost when the schools in which they are employed are closed owing to an epidemic or other public calamity. Nothing in this division shall be construed as requiring payment in excess of an employee’s regular wage rate or salary for any time worked while the school in which the employee is employed is officially closed for the reasons set forth in this division,” and this provision of Revised Code is applicable to District non-bargaining employees who are not otherwise considered administrative or supervisory employees; and

WHEREAS, the Board does not have official policy in place that addresses expectations with respect to administrative or non-bargaining unit employees reporting for duty or otherwise performing work on contracted work days on which school is closed due to calamity or any Order of the Governor; and

WHEREAS, the Board believes in this unique and unprecedented time, it is imperative for the Board to take official public action to declare its intent with respect to administrative, supervisory and non-bargaining employees reporting for duty and performing work essential to their positions with the District and to the continuity of operations of the District during the period of ordered school closure, March 17, 2020 through May 1, 2020; and

WHEREAS, consequently, the Board also believes it is imperative for the Board to issue specific authority to the Treasurer during this unique and unprecedented time to issue contract compensation to said employees during the period of and corresponding to the ordered school closure, March 17, 2020 through May 1, 2020;

NOW THEREFORE BE IT RESOLVED that the Clark-Shawnee Local School District Board of Education hereby acts to authorize the Superintendent to direct and determine all work to be performed by all administrative, supervisory, and non-bargaining employees of the Board during the period of school closure ordered by the Governor in the School Closure Order for the period March 17, 2020 through May 1, 2020;

BE IT FURTHER RESOLVED that the Clark-Shawnee Local School District Board of Education further authorizes the Treasurer to issue regular contract compensation to all administrative, supervisory and non-bargaining employees of the Board in accordance with the individual contracts of employment in place for said employees for the time period covered by the School Closure Order, March 17, 2020 through May 1, 2020.

Mr. DeHart seconded the motion.

Ayes: Galbreath, Garrett, Pierce, Page, DeHart

The President declared the motion carried.

**Resolution Amending a Plan to Make Up Days or Hours That Schools Are Closed Pursuant to Ohio House Bill 197 in Response to the Extended Closure of School Due to State of Emergency—Covid-19 Pandemic (2020-1062)**

Dr. Page moved to approve the following:

WHEREAS, under current law, Ohio school districts must be open a minimum number of hours for instruction over the course of a school year; and

WHEREAS, under current law, specifically Ohio Revised Code 3313.482, Ohio school districts and-site-based schools are permitted to adopt a plan for distance learning (either web-based or paper-based) to make up the equivalent of up to three days in a school year for which it is necessary to close schools for disease epidemic, hazardous weather conditions, as well as other situations; and

WHEREAS, on March 14, 2020, the Ohio Director of Health issued an Order closing all Ohio site-based schools serving any grades, kindergarten through 12, from March 17, 2020 through April 3, 2020, due to the COVID-19 pandemic; and

WHEREAS, on March 30, 2020, the Governor of Ohio extended the March 14, 2020 Order and directed that Ohio schools will remain closed to students for an extended period of time up to and through May 1, 2020 due to the ongoing state of emergency related to COVID-19 pandemic; and

WHEREAS, on March 27, 2020, the Governor of Ohio signed into law emergency legislation, House Bill 197, which addresses the urgent needs of the State in response to the COVID-19 pandemic; and

WHEREAS, with respect to education, House Bill 197 permits school districts that are not internet- or computer-based schools (e-schools) to make up through distance learning any number of days or hours necessary for student instruction due to school closure as a result of the Director of Health's Order closing K-12 schools; and

WHEREAS, House Bill 197 provides that a district or school may amend its existing distance learning plan or adopt a distance learning plan, if the school or district does not

have an existing plan, to make up the days or hours necessary for student instruction due to school closure as a result of the Director of Health's Order closing K-12 schools; and

WHEREAS, in accordance with Ohio Revised Code 3313.842, the Clark-Shawnee Local School District ("District") has previously adopted a "blizzard bag" plan for making-up the number of student instruction hours that are the equivalent of three school days; and

WHEREAS, pursuant to House Bill 197, the Board wishes to amend the plan it has previously adopted under Ohio Revised Code 3313.842 to permit students to access and complete classroom lessons online and through other virtual means in order to make up the number of student instruction hours the District's schools have been and will be closed in the 2019-2020 school year in compliance with the Director of Health's Order and the extension of that order up to and through May 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Clark-Shawnee Local School District Board of Education:

Section 1. Pursuant to House Bill 197, the Board hereby amends the distance learning plan it has already adopted under Ohio Revised Code 3313.842 for the 2019-2020 school year, such that the plan will permit students to access and complete classroom lessons online and through other virtual means in order to make up the number of hours the District's schools have been and will be closed in the 2019-2020 school year in compliance with the Director of Health's Order and the extension of that order up to and through May 1, 2020 due to the COVID-19 pandemic.

Section 2. The Superintendent and/or the Treasurer are authorized and directed to take all other such actions as are necessary or appropriate to accomplish the objectives of this Resolution.

Section 3. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public or in executive session as permitted by Ohio law.

Section 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Mrs. Garrett seconded the motion.

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

The President declared the motion carried.

**ADJOURNMENT**

Mr. DeHart moved to adjourn the meeting at 8:11 p.m.

Mrs. Garrett seconded the motion.

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

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President

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Treasurer