

August 20, 2019

The Clark-Shawnee Local Board of Education met in regular session on July 16, 2019 at the Shawnee High School located at 1675 East Possum Road, Springfield, Ohio 45502. The meeting was called to order at 7:00 p.m. by President Garrett. Those answering the roll by Mr. Faulkner:

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

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

Visitors: Tim Foley Mark Smith Gene Shaw

All stood and recited the Pledge of Allegiance.

#### **ACCEPTANCE OF THE AGENDA (2019-1004)**

Mr. DeHart moved to accept the agenda as presented.

Dr. Page Seconded the motion.

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

The President declared the motion carried.

#### **ACCEPTANCE OF CONSENT CALENDAR – FINANCIAL (2019-1005)**

Mr. Barnes moved to approve the following

1. Signing of the Minutes of the Previous Meeting
2. Treasurer's Report and Condition of the Funds
3. Monthly Bills and Allowance of those that are in Order
4. Merge Possum, Reid, and Rockway band funds into one single Elementary School Band Fund [300-9493]
5. Transfer \$327,824.00 from General Fund to Permanent Improvement Fund
6. Permission to Close the Fifth-Third Bank Account Ending in 4611

Mr. DeHart seconded the motion.

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

The President declared the motion carried.

## **ACCEPTANCE OF CONSENT CALENDAR – PERSONNEL (2019-1006)**

Mrs. Garrett moved to approve the following.

### **Resignations**

#### **Support Staff**

To accept Ms. Trisha Adkins, Aide, letter of resignation effective August 6, 2019.

To accept Mrs. Sharon Isaac, Cook, letter of resignation effective August 31, 2019.

To accept Mrs. Sara Jouadi, EMIS Coordinator, letter of resignation effective August 14, 2019.

To accept Ms. Lee Wones, Bus Aide, letter of resignation effective the end of the 2018-2019 contract year.

### **Employment**

#### **Certified Staff**

To employ Mrs. Kelly Blazer as Physical Therapist on a two-year contract beginning with the 2019-2020 contract year.

To employ Ms. Debbie Haycox as Floating Tutor for the 2019-2020 school year. [Current Assignment: Possum School]

To employ Mr. Gregory Hohl as Part-Time Physical Education Teacher for the 2019-2020 school year. [Current Assignment: Rockway School]

To employ Mrs. Christa Kusmierczyk as Part-Time Floating Tutor for the 2019-2020 school year. [Current Assignment: Possum School]

To employ Mrs. Christa Kusmierczyk as Part-Time Teacher for the 2019-2020 school year. [Current Assignment: Data Coach—Possum School]

To employ Mr. Don McKanna as Floating Tutor for the 2019-2020 school year. [Current Assignment: Reid School]

To employ Ms. Molly Meyers as Floating Tutor for the 2019-2020 school year. [Current Assignment: Possum School]

To employ Ms. Jennifer Weber as Floating Tutor for the 2019-2020 school year. [Current Assignment: Reid School]

### Support Staff

To employ Ms. Elisabeth Appis as Preschool Aide for the 2019-2020 school year. [Current Assignment: Rockway School]89

To employ Mr. John Coffman as Part-Time Custodian for the 2018-2019 school year. [Current Assignment: Shawnee HS/MS]

To employ Mr. John Coffman as Part-Time Custodian for the 2019-2020 school year. [Current Assignment: Shawnee HS/MS]

To employ Mrs. Paula Daniel as Cook Helper for the 2019-2020 school year. [Current Assignment: Shawnee High School]

To employ Ms. Katie Dorton as Preschool Aide for the 2019-2020 school year. [Current Assignment: Rockway School]

To employ Ms. Shelley Davis as Floating Tutor for the 2019-2020 school year. [Current Assignment: Possum School]

To employ Ms. Lori Driskill as Floating Tutor for the 2019-2020 school year. [Current Assignment: Possum School]

To employ Ms. Laura Gordon as AM Latchkey Aide for the 2019-2020 school year. [Current Assignment: Reid School]

To employ Mr. Logan Griffith as Summer School Tutor for the 2018-2019 school year.

To employ Ms. Talia Kalmerton as Floating Tutor for the 2019-2020 school year. [Current Assignment: Possum School]

To employ Ms. Talia Kalmerton as PM Latchkey Coordinator for the 2019-2020 school year.

Ms. Cori Owens as Aide for the 2019-2020 school year. [Current Assignment: Possum School]

To employ Ms. Amanda Raber as Tutor for the 2019-2020 school year. [Current Assignment: Possum Elementary]

Ms. Amanda Roe as Aide for the 2019-2020 school year. [Current Assignment: Possum School]

Mrs. Linda Slusher as Tutor for the 2019-2020 school year. [Current Assignment: Reid School]

To employ Ms. Amanda Thurman as Floating Tutor for the 2019-2020 school year. [Current Assignment: Reid School]

To employ Mr. Michael Williams as Courier for the 2019-2020 school year.

#### Additional Duty Certified

To employ Mrs. Whitney Adams as Yearbook Advisor for the 2019-2020 school year.

To employ Mrs. Elizabeth Allen as Co-Science Department Chair for the 2019-2020 school year.

To employ Mrs. Teresa Balcerek as Mentor for the 2019-2020 school year.

To employ Mrs. Susan Calland as Mentor for the 2019-2020 school year.

To employ Mr. Garrett Greene as HS Instrumental Music Assistant for the 2019-2020 school year.

To employ Mrs. Terry Janssen as Power of the Pen Advisor for the 2019-2020 school year.

To employ Mrs. Stephanie Lange as Mentor for the 2019-2020 school year.

To employ Mrs. Stephanie Lange as Vocal Music Head for the 2019-2020 school year.

To employ Mrs. Ashley Hill as Mentor for the 2019-2020 school year.

To employ Mrs. Kristi Hirtzinger as Middle School Student Council Co-Advisor for the 2019-2020 school year.

To employ Mrs. Sara Lee as Co-National Honor Society Advisor for the 2019-2020 school year.

To employ Mrs. Darcy Leis as Power of the Pen Advisor for the 2019-2020 school year.

To employ Mr. Taylor Leonard as HS Instrumental Music Head for the 2019-2020 school year.

To employ Mr. Taylor Leonard as Spring Musical Vocal/Orchestra Director for the 2019-2020 school year.

To employ Mrs. Rosie Matthies as Mathematics Department Chair for the 2019-2020 school year.

To employ Mr. Jeff Mayfield as Before School Supervisor for the 2019-2020 school year.

To employ Ms. Allison McClintick as Mentor for the 2019-2020 school year.

To employ Mr. Christopher McGuire as Fall Site Manager for the 2019-2020 school year.

To employ Mrs. Kristin Meeks as Co-Science Department Chair for the 2019-2020 school year.

To employ Mrs. Marlo Mitch as Junior Class of 2021 Advisor for the 2019-2020 school year.

To employ Mrs. Marlo Mitch as Student Council Advisor for the 2019-2020 school year.

To employ Mr. Mark Myers as Lead Teacher for the 2019-2020 school year.

To employ Mrs. Elizabeth Nelson as English Department Head for the 2019-2020 school year.

To employ Mrs. Erin Phillips as Co-National Honor Society Advisor for the 2019-2020 school year.

To employ Mrs. Erin Phillips as Resident Educator Year 3 Coordinator for the 2019-2020 school year.

To employ Mrs. Nancy Robinson as Mentor for the 2019-2020 school year.

To employ Mr. Devin Spitzer as Social Studies Department Chair for the 2019-2020 school year.

To employ Mr. Bryan Szekacs as Head Fall Drama Director for the 2019-2020 school year.

To employ Mr. Bryan Szekacs as Head Spring Musical Director for the 2019-2020 school year.

To employ Mrs. Beth Szekacs as Assistant Fall Drama Director for the 2019-2020 school year.

To employ Mrs. Beth Szekacs as Assistant Spring Musical Director for the 2019-2020 school year.

To employ Mrs. Brenda Vinson as Freshmen Advisory Head for the 2019-2020 school year.

To employ Mrs. Brenda Vinson as Before School Supervisor for the 2019-2020 school year.

To employ Ms. Brigitte Williams as Mentor for the 2019-2020 school year.

To employ Mrs. Kelly Wyen as Foreign Language Department Chair for the 2019-2020 school year.

Mrs. Sarah Young as Middle School Student Council Co-Advisor for the 2019-2020 school year.

#### Additional Duty Support Staff

To employ Ms. Haley Gannon as Assistant Girls Varsity Soccer Coach for the 2019-2020 school year. Ms. Gannon is a lay coach.

To employ Mrs. Kayla Greenwood as Middle School Volleyball Coach for the 2019-2020 school year. Mrs. Greenwood is a lay coach.

To employ Mr. Noah Grooms as Assistant Boys Soccer Coach for the 2019-2020 school year. Mr. Grooms is a lay coach.

#### Substitutes – Certified

Clark County Educational Service Center Substitute Teacher List—ESC Board Approved on August 13, 2019. See exhibit A.

#### Substitutes – Support Staff

Virginia Coffman

#### Volunteer—Certified

Mr. Richard Walker as volunteer athletic trainer for the 2019-2020 school year.

#### Volunteers- Support Staff

Mr. Chris Anthony as Volunteer HS Football Assistant for the 2019-2020 school year. Mr. Anthony is a lay coach.

Mr. Chris Kusmierczyk as Volunteer MS Volleyball Coach for the 2019-2020 school year. Mr. Kusmierczyk is a lay coach.

Mr. William Lord as Volunteer Assistant Girls Varsity Soccer Coach for the 2019-2020 school year. Mr. Lord is a lay coach.

Ms. Erin Phillips as Volunteer Girls Varsity Soccer Coach for the 2019-2020 school year.

Mr. James Wills as Volunteer Assistant Girls Varsity Soccer Coach for the 2019-2020 school year. Mr. Wills is a lay coach.

Mr. Ron Wood as Volunteer Assistant Girls Varsity Soccer Coach for the 2019-2020 school year. Mr. Wood is a lay coach.

### **Contract Amendments**

Ms. Sarah Brown's contract amended to 3 days per week as Guidance Office Secretary for the 2019-2020 school year. [Current Assignment: Shawnee High School]

Ms. Samantha Dornon's contract amended to Latchkey Coordinator for the 2019-2020 school year. [Current Assignment: Reid School]

Ms. Jennifer Rowland's contract amended to 6.5 hours as Aide for the 2019-2020 school year. [Current Assignment: Reid School]

Mr. Jordan Williams's contract amended to 7 hours as Cross-Categorical Aide for the 2019-2020 school year. [Current Assignment: SHS/SMS]

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

### **PERSONNEL (2019-1007)**

Mrs. Pierce moved to approve the following:

#### Employment

#### Certified

To employ Mrs. Cynthia Barnes as Floating Tutor for the 2019-2020 school year. [Current Assignment: Reid School]

Mr. DeHart seconded the motion.

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

### **Acceptance of Consent Calendar-Miscellaneous (2019-1008)**

Dr. Page moved to approve the following.

#### Bus Purchase

To approve the purchase of up to one bus for the 2019-2020 school year at an estimated cost of \$85,000.00.

#### Professional Legal Service Agreement—FY2020

To engage Mrs. Lisa Burleson, Attorney with Walter-Haverfield, as legal counsel for the Clark-Shawnee Local School District for Fiscal Year 2020.

#### Resolution—Sick Leave Bank Program

WHEREAS, the Clark-Shawnee Local School District Board of Education (“Board”) entered into a Memorandum of Understanding (“MOU”) with the Clark-Shawnee Local Education Association (“CSLEA”) executed on October 20, 2015, for the purpose of documenting agreed upon modifications to the scope and application of the Sick Leave Bank Program as outlined in Article VI, Sick Leave, Section IV., of the parties’ Contractual Agreements (July 1, 2013-June 30, 2016); and

WHEREAS, the Board took official public action to approve the MOU at the Board’s regular public meeting on October 20, 2015, and which same is reflected in the official minutes of said regular public meeting; and

WHEREAS, based upon the terms of the MOU, the parties agreed to expand the Sick Leave Bank Program as found in Section IV of Article VI of the parties’ Contractual Agreement(s) to include participation by support staff as well as administrative staff



employed by the Clark-Shawnee Local School District, but who are not members of the CSLEA bargaining unit, on the same terms and conditions as stated in Article VI, Section IV, of the parties' Contractual Agreement(s); and

WHEREAS, the parties have since entered into two successor Contractual Agreement(s), one effective July 1, 2016 through June 30, 2019, and one effective June 30, 2019 through July 1, 2022, and both such successor Contractual Agreement(s) include the provisions of the MOU which expand participation in the CSLEA sick leave bank program to support staff as well as administrative staff employed by the District, but who are not members of the CSLEA bargaining unit; and

WHEREAS, subsequent to the parties entering into the successor Contractual Agreement(s) effective June 30, 2019, on April 16, 2019, the Ohio Attorney General issued Opinion No. 2019-014, wherein the Ohio Attorney General opined that nothing in the Ohio Revised Code, particularly Ohio Revised Code Sections 3319.02, 3319.081, 3319.082, or 3319.141, authorizes a board of education to grant employees who are not teachers and who are not part of a bargaining unit the use of sick leave beyond what is prescribed in Ohio Revised Code Section 3319.141 and that Ohio Revised Code Section 3319.141 does not authorize such employees to participate in or use sick leave from a sick leave "bank"; and

WHEREAS, the parties desire for the successor Contractual Agreement(s) effective July 1, 2019 through June 30, 2022, to comply with Opinion No. 2019-014 issued by the Ohio Attorney General; and

WHEREAS, Article XLVIII, Savings Clause/Duration of Agreement, of the successor Contractual Agreement(s) includes a contrary to law provision, however that

provision only addresses changes provisions of the Contractual Agreement(s) that are found to be contrary to law by the Supreme Court of the United States, or by any court of the competent jurisdiction from whose judgment or decree no appeal has been taken within the time provided for doing so, but this contrary to law provision does not address the effect of an opinion issued by the Ohio Attorney General; and

WHEREAS, in order to address the conflict in law between provisions of Article VI, Section IV of the parties' Contractual Agreement(s), the parties have voluntarily entered into a subsequent Memorandum of Understanding effective August 20, 2019 ("2019 MOU") to reconcile the contrary provisions of Article VI, Section IV, with OAG Opinion No. 2019-014, and to amend terms and conditions of the current Contractual Agreement(s) accordingly;

NOW, THEREFORE BE IT RESOLVED, that the Clark-Shawnee Local School District Board of Education ("Board") hereby approves the terms of the Memorandum of Understanding executed between the Board and CSLEA on August 20, 2019, addressing the modifications to the scope and application of the Sick Leave Bank Program as outlined in Section IV of Article VI of the parties' negotiated Contractual Agreement(s);

BE IT FURTHER RESOLVED that the Clark Shawnee Local School District Board of Education hereby directs its Superintendent and Treasurer to carry forth and implement the terms of this action and the accompanying 2019 MOU.

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President

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Member

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Treasurer

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Member

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Member

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Member

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

**Executive Session (2019-1008)**

Mrs. Pierce moved to go into executive session for the purpose of employment at 8:16 p.m.

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

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

**Adjournment**

Mr. DeHart moved to adjourn the meeting at 8:41 p.m.  
Mrs. Pierce seconded the motion.  
Ayes: Pierce, Page, DeHart, Barnes, Garrett.  
The President declared the motion carried.

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President

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Treasurer