

September 20, 2016

The Clark-Shawnee Local Board of Education met in regular session on September 20, 2016 at the Shawnee High School Media Center located at 1675 East Possum Road, Springfield, Ohio 45502. The meeting was called to order at 7:00 p.m. by President DeHart. Those answering the roll by Mr. Faulkner:

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

Also present: Mr. Gregg Morris, Superintendent
Mr. Brian Kuhn, Asst. Superintendent

Visitors:	Tanner VanVelzor	Sandy Pinkerton	Whitney Childs
	Cleve Gregory	Sherry Akers	Lindsay Carmean
	Grace Young	Jennifer Young	Rebecca Penrose
	Jeff Hughes		

All stood and recited the Pledge of Allegiance.

ACCEPTANCE OF AGENDA (2016-741)

Mr. Barnes moved to accept the agenda and addendum as presented with the removal of Mary Coffey from the Support Staff employment section.

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

ACCEPTANCE OF CONSENT CALENDAR – FINANCIAL (2016-742)

Mrs. Pierce moved to approve the following

1. Signing of the Minutes of the Previous Meeting
2. Treasurer's Report and Condition of the Funds
3. Adopt Permanent Appropriations at the Fund Level
4. Approval of donation from Rockway Church in the amount of \$115.00
5. Hearing IDEA Special Education Grant

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

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ACCEPTANCE OF CONSENT CALENDAR – PERSONNEL (2015-743)

Mr. Barnes moved to approve the following

Resignations

The resignation of Mrs. Peggy Bowers, bus driver and hostess at Rockway School, effective September 9, 2016.

Employment

Certified

To employ Mr. Brett West as tutor for students attending Youth Challenges for the 2016-2017 school year.

Support Staff

Mrs. Elizabeth Allen as a mentor for the 2016-2017 school year.

To employ Ms. Dawn Espich as a floating tutor for the 2016-2017 school year. [Current Assignment: Rockway School]

To employ Ms. Angela Himes as a 2.5 hour hostess for the 2016-2017 school year. [Current Assignment: Rockway School]

To employ Mr. Nicholas Trimbach as a part-time aide for the 2016-2017 school year. [Current Assignment: Shawnee High School]

To employ Mr. Douglas Vannatta as a full time bus driver effective September 12, 2016.

Certified Additional Duty

To employ Mrs. Annette Lloyd as Power of the Pen Advisor at Possum School for the 2016-2017 school year.

To employ Mrs. Terry Janssen as Power of the Pen Advisor at Possum School for the 2016-2017 school year.

To employ Mrs. Darcy Leis as 7th and 8th grade Power of the Pen Advisor at Reid School for the 2016-2017 school year.

To employ Mrs. Stephanie Cummings as Power of the Pen Advisor at Rockway School for the 2016-2017 school year.

To employ Mr. Jessica Carpenter as Power of the Pen Advisor at Rockway School for the 2016-2017 school year.

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Certified Substitutes

Gail Daniel	Kathleen Smith	Donna Cummings	Linda Richardson
Veola Moore	Lauren Brassfield	Kristin Hartman	Mary McKinley
Christopher McDaniel	Robert Wigton		

Support Staff Substitutes

Merita Holmes – Bus Aide
Angela Bishop – Aide
Ashleigh Crall – Miscellaneous
Lisa Massie – Secretary
Douglas Vannatta – Bus
Angela Heims - Bus

FMLA

To approve Mrs. Sara Lee’s request for family medical leave beginning January 4, 2016 for approximately 6 weeks.

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

ACCEPTANCE OF CONSENT CALENDAR –RESOLUTIONS/MISCELLANEOUS (2016-744)

Mrs. Garrett moved to approve the following

Addendum to Waiver of Conflict of Interest

To approve Mr. Gregg Morris, Superintendent’s recommendation to execute an addendum to the existing, approved conflict waiver for Lisa Burluson to update our lease and operating agreement.

ESC Food Service Agreement

To approve permission to enter into an agreement for the 2016-2017 school year to offer food to the Clark-County ESC Clifton Campus.

Waiver Approval for Cross-Categorical Elementary Classroom

To approve Mr. Michael Shaw, Special Education Director, is requesting approval of an Ohio Department of Education waiver for the operation of the district’s Elementary Cross-Categorical Classroom at Possum Elementary School. Services will continue to be provided consistent with IDEA requirements, Ohio Operating Standards, FAPE, and the Department of Education Consent Order.

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

EXECUTIVE SESSION (2016-745)

Mr. DeHart moved to go into executive session at 8:10 p.m. under Ohio Revised Code 121.22 [G] for the purpose of personnel discipline and legal matters.

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

Mr. DeHart declared the Board back in session at 9:20 p.m.

Mrs. Garrett moved to approve the following:

RESOLUTION TO PLACE LORETTA ADAMS ON NONPAID SUSPENSION (2016-745)

WHEREAS, Section 3319.08.1 of the Ohio Revised Code, which governs, among other things, the suspension of nonteaching employees, provides that a board of education may suspend a nonteaching employee for a definite period of time for violation of written rules and regulations of the board of education, and for acts of dishonesty, misfeasance, and malfeasance, among other reasons; and

WHEREAS, the Clark-Shawnee Local School District Board of Education ("Board") employs Loretta Adams ("Ms. Adams") under a non-teaching contract of employment in the position of cafeteria hostess; and

WHEREAS, on August 18, 2016, pursuant to Board Policy 4138, Suspension During Pending Criminal Actions, and Administrative Guideline 4121, Criminal History Record Check, the Superintendent placed Ms. Adams on administrative leave with pay as a result of Ms. Adams being indicted by the grand jury in Clark County on criminal charges of felony bribery (ORC Section 2921.02(C), Clark County Court of Common Pleas Case No. 16CR0398C); and

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WHEREAS, the Superintendent has determined that the circumstances of the charge and the pending case warrant discontinuation of paid administrative leave status and further warrant the Board implementing a suspension without pay pending the outcome of the criminal charges which are grounds for such action under Ohio Revised Code Section 3319.08.1, and is now recommending same for action by the Board; and

WHEREAS, on September 15, 2016, Ms. Adams was served with official written notice of these matters and was offered an opportunity to meet with the Superintendent on September 19, 2016, to discuss and review these matters, and was also offered an opportunity to appear before the Board for a due process hearing in executive session at the Board's regular meeting on September 20, 2016, to review these matters; and

NOW, THEREFORE BE IT RESOLVED, based upon the record before it, that the Clark-Shawnee Local School District Board of Education ("Board") hereby acts to approve the Superintendent's recommendation to place nonteaching employee Loretta Adams on a suspension without pay pending the outcome of Clark County Court of Common Pleas Case No. 16CR0398C filed against Ms. Adams pursuant to Ohio Revised Code Section 3319.08.1 for acts that constitute a possible felony, with said unpaid suspension effective immediately, September 20, 2016, and continuing through date of official action in the pending criminal court case;

BE IT FURTHER RESOLVED, that during the period of said unpaid suspension, nonteaching employee Loretta Adams is not to use or gain any access to any property owned or operated by the Clark-Shawnee Local School District Board of Education at any time for any reason;

BE IT FURTHER RESOLVED, that the Clark-Shawnee Local School District Board of Education hereby directs its Treasurer to issue official written notice of same forthwith,

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along with a copy of said Resolution, to nonteaching employee Loretta Adams at her last known address.

Superintendent

President

Treasurer

Vice-President

Member

Member

Member

RESOLUTION TO TERMINATE THE NON-TEACHING CONTRACT OF AMY BAUMGARDNER (2016-746)

WHEREAS, Ohio Revised Code Section 3319.08.1 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 Amy Baumgardner ("Baumgardner") in the position of nurse assistant under a nonteaching contract pursuant to Ohio Revised Code Section 3319.081; and

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WHEREAS, on September 16, 2016, Baumgardner was notified in writing that she was being placed on paid administrative leave effective immediately pending the Superintendent's recommendation to the Board at the Board's regular public meeting on September 20, 2016, that her non-teaching employment contract with the Clark-Shawnee Local School District ("District") be terminated on the grounds of violation of written rules and regulations of the Board (Administrative Guideline 5330, Use of Medications), dishonesty, neglect of duty, misfeasance, malfeasance and nonfeasance, based upon the following:

*During the week of September 12, 2016, you were directly responsible for maintaining care, custody, and control over as well as administering student medications for students enrolled in Reid School. Student medications went missing, unaccounted for, and in some cases unadministered to students. You were dishonest with your Principal when questioned about these matters. You were dishonest about the whereabouts of the student medications. You admitted to local law enforcement to ingesting some of the student medications; and

WHEREAS, on September 16, 2016, Baumgardner was likewise notified in writing that she was entitled to a pre-disciplinary hearing before the Superintendent on September 19, 2016, and that she was also entitled to a due process hearing before the Board in executive session at the Board's regular public meeting on September 20, 2016; and

WHEREAS, Baumgardner did not attend pre-termination hearings scheduled on September 19, 2016 or September 20, 2016, and had a full opportunity to be heard on the allegations as stated above which serve as the basis for the Superintendent's recommendation to the Board that Baumgardner's employment contract with the District be terminated pursuant to Ohio Revised Code Section 3319.081; and

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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 Amy Baumgardner as set forth in the grounds for the Superintendent's intent to terminate Baumgardner'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, misfeasance, 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 Amy Baumgardner effective immediately for violations of written rules and regulations of the Board, and for conduct which also constitutes dishonesty, neglect of duty, misfeasance, malfeasance and nonfeasance, to wit:

*During the week of September 12, 2016, you were directly responsible for maintaining care, custody, and control over as well as administering student medications for students enrolled in Reid School. Student medications went missing, unaccounted for, and in some cases unadministered to students. You were dishonest with your Principal when questioned about these matters. You were dishonest about the whereabouts of the student medications. You admitted to local law enforcement to ingesting some of the student medications;

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 Amy Baumgardner 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 Amy Baumgardner with the Clark-Shawnee Local School District.

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Superintendent

President

Treasurer

Vice-President

Member

Member

Member

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

Adjournment

Mr. Barnes moved to adjourn the meeting at 9:47 p.m.

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

Treasurer

President