

May 19, 2020

The Clark-Shawnee Local Board of Education met in regular session on May 19, 2020 in a virtual meeting. The meeting was called to order at 7:00 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

All stood and recited the Pledge of Allegiance.

ACCEPTANCE OF THE AGENDA (2020-1068)

Dr. Page moved to accept the agenda.

Mr. Galbreath Seconded the motion.

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

The President declared the motion carried.

ACCEPTANCE OF CONSENT CALENDAR – FINANCIAL (2020-1069)

Dr. Page 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. Modifications to the Appropriations
5. Approve Five-Year Forecast

Appropriation Modifications

Approval of the Treasurer's request of the Board of Education that the Treasurer be permitted to modify the annual appropriations as needed throughout each month with a full report of changes to the board of education.

Mr. Dehart seconded the motion.

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

The President declared the motion carried.

ACCEPTANCE OF CONSENT CALENDAR – PERSONNEL (2020-1070)

Mrs. Garrett moved to approve the following.

Resignations

Certified

To accept Mrs. Lauren Bell, school counselor and Title I Tutor at Rockway School, letter of resignation effective August 31, 2020.

Support Staff

To accept Mr. Kenneth Dixon, custodian at Rockway School, resignation for the purpose of retirement effective May 31, 2020.

Employment

Certified

To employ Mr. Jeff Collins as a Math Teacher for the 2020-2021 school year. [Current Assignment: Shawnee HS]

Support Staff

To employ Mr. James Ballard as a Summer Helper on an as-needed basis for the 2019-2020 school year.

To employ Mr. Robert Beedy as Outdoor Facility Maintenance for the 2020-2021 school year.

To employ Mr. Jeffrey Rees as Grounds Helper for the 2020-2021 school year.

To employ Mr. Andrew Tinchler as a Summer Helper on an as-needed basis for the 2019-2020 school year.

To employ Mr. Nick Trimbach as a Summer Helper on an as-needed basis for the 2019-2020 school year.

To employ Mr. Camden VanVelzor as a Summer Helper on an as-needed basis for the 2019-2020 school year.

To employ Mr. Mike Williams as Grounds Helper on an as-needed basis for the 2019-2020 school year.

To employ Mr. Mike Williams as Grounds Helper on an as-needed basis for the 2020-2021 school year.

Additional Duty (Certified Staff)

To employ Mrs. Sherry Akers, Counselor, an additional 15 days for extended time for the 2020-2021 school year. [Current Assignment: Shawnee High School]

To employ Mrs. Amy Hibbs, Counselor, an additional 15 days for extended time for the 2020-2021 school year. [Current Assignment: Shawnee High School]

To employ Mr. Taylor Leonard as Instrumental Music Head for the Shawnee High School for the 2020-2021 school year.

Contract Renewals

<u>Possum</u>	<u>Current Contract (Expiring)</u>	<u>Contract Eligibility (Proposed)</u>
John Campbell	1 of 1	2 year
Melissa Fowler	2 of 2	3 year
Amy Jackson	1 of 1	2 year
Christa Kusmierczyk	1 of 1	1 year
Michael Shaw	1 of 1	1 year
Naomi Solomon	1 of 1	2 year
Sarah Smith	1 of 1	2 year
Crystal Waltz	5 of 5	5 year

<u>Reid</u>	<u>Current Contract (Expiring)</u>	<u>Contract Eligibility (Proposed)</u>
Alicyn Ashley	2 of 2	3 year
Rosemary Hearlihy	2 of 2	3 year
Danielle McCoy	3 of 3	4 year
Danielle Thomas	2 of 2	3 year
Kristen Trimble	5 of 5	5 year
Rachel Yontz	2 of 2	3 year

<u>Rockway</u>	<u>Current Contract (Expiring)</u>	<u>Contract Eligibility (Proposed)</u>
Kelley Asper	1 of 1	2 year
Elizabeth Avery	1 of 1	1 year
Elisabeth Hirtzinger	1 of 1	1 year
Gregory Hohl	1 of 1	1 year
Erica Weihrauch	1 of 1	1 year

<u>Shawnee</u>	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Anne Bradfield	1 of 1	2 year
Jeffrey Bumgardner	2 of 2	3 year
Erin Delk	2 of 2	3 year
Robert DeLong	1 of 1	1 year
Taylor Leonard	1 of 1	2 year
Marlo Mitch	1 of 1	2 year
Linda Wierzba	5 of 5	5 year

<u>Shawnee Middle</u>	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Elizabeth Elliott	1 of 1	1 year
Natalie Koukis	1 of 1	1 year
Lindsay Williams	1 of 1	2 year

<u>District</u>	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Zsuzsanna Przyzycki	1 of 1	1 year

Additional Duty (Support Staff)

Support Staff Renewals

<u>Possum</u>	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Courtney Allen (Aide)	1 of 1	Continuing
Jerri Bush (Aide)	1 of 1	2 of 2
Ashley Gossett	1 of 1	2 year [1]
Michelle Kiess (Aide)	1 of 1	Continuing
Lori Myers (Aide)	1 of 1	Continuing
Cori Owens (Aide)	1 of 1	2 year [1]
Kimberly Pitstick (Aide)	1 of 1	Continuing
M. Annette Reed (Aide)	1 of 1	Continuing
Kathleen Reno (Aide)	1 of 1	Continuing
Amanda Roe (Aide)	1 of 1	2 year [1]
Shirley Williams (Aide)	1 of 1	Continuing

Reid	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Samantha Dornon (Latchkey Co)	1 of 1	2 year [2]
Laura Gordon (Latchkey Aide)	1 of 1	2 year [1]
April Nelson (Aide)	1 of 1	2 of 2 [1]
Regina Thrasher (Nurse)	1 of 1	2 year [1]

<u>Rockway</u>	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Elisbeth Appis (Aide)	1 of 1	Continuing
Bonnie Clark (Latchkey)	1 of 1	2 of 2
Katie Dorton (Aide)	1 of 1	Continuing
Deborah Falkenbach (Aide)	1 of 1	Continuing
Nancy Shank (PreK Aide)	1 of 1	Continuing

<u>Shawnee</u>	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Joyce Aills (Library Aide)	2 of 2	Continuing
Angela Bishop (HS Aide)	1 of 1	2 year [2]
Erica Brewer (Cooks Helper)	2 of 2	Continuing
Sarah Brown (Guidance Sec.)	2 of 2	Continuing
John Coffman (SAC Custodian)	1 of 1	2 year [1]
Lynda Farrell (Secretary)	2 of 2	Continuing
Andrea Judd (HS Aide)	1 of 1	Continuing
Talia Kalmerton (MS Aide)	1 of 1	2 year [2]
Janice Mattern (HS Aide)	1 of 1	Continuing
Cheri Meyers (HS Aide)	1 of 1	Continuing
Roengruedee Nave (Custodian)	2 of 2	Continuing
Sharon Roberts (Cooks Helper)	2 of 2	Continuing
Jennifer Rowland (MS Aide)	1 of 1	Continuing
Jon Rupert (HS Aide)	1 of 1	Continuing
Nicholas Trimbach (Aide)	1 of 1	Continuing
Stacy Williams (Custodian)	1 of 1	2 year [1]

<u>Transportation</u>	<u>Current Contract</u> <u>(Expiring)</u>	<u>Contract Eligibility</u> <u>(Proposed)</u>
Peggy Bowers (Driver)	2 of 2	Continuing
Karene Bradley (Driver)	2 of 2	Continuing
Constance Denney	2 of 2	Continuing
Merita Holmes (Driver)	2 of 2	Continuing

Amy Howard (Bus Aide)	1 of 1	Continuing
Angela Johnson (Driver)	1 of 1	2 year [1]
Steven Williams (Driver)	1 of 1	2 year [1]

<u>Risen Christ</u>	<u>Current Contract (Expiring)</u>	<u>Contract Eligibility (Proposed)</u>
Jacob Ford	1 of 1	2 year [1]

<u>Administrative Office</u>	<u>Current Contract (Expiring)</u>	<u>Contract Eligibility (Proposed)</u>
Deanna Seiber (Secretary)	1 of 1	2 year [1]

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

Acceptance of Consent Calendar – Miscellaneous (2020-1071)

Mr. DeHart motioned to approve the following:

2020-2021 Handbooks

Approval of the district handbooks for the 2020-2021 School Year.

Contract with the Clark County Educational Service Center

Approval to authorize the Superintendent to contract with Clark County Educational Service Center.

Resolution extending the Authorization of the Amendment to plan to make up days or hours that schools are closed pursuant to the Ohio House Bill 197 in response to the extended closure of school for the remainder of the 2019-2020 school year due to State of Emergency- COVID-19 Pandemic (2020-1072)

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 House Bill 197 and pursuant to Ohio Revised Code 3313.842, on April 21, 2020, the Clark-Shawnee Local School District Board of Education ("Board") took official public action to adopt Resolution # 2020-1062, to amend the distance learning plan previously adopted for the 2019-2020 school year to 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 through May 1, 2020, due to the COVID-19 pandemic; and

WHEREAS, on April 20, 2020, the Governor of Ohio indefinitely extended the March 14, 2020 Order and directed that Ohio schools remain closed to students through at least the remainder of the 2019-2020 school year due to the ongoing state of emergency related to COVID-19 pandemic; and

WHEREAS, pursuant to said action of the Governor of Ohio on April 20, 2020, the Board wishes to extend the amendment to the plan it previously adopted under House Bill 197 and Ohio Revised Code 3313.842 pursuant to Resolution # 2020-1062 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 will be closed to students through the remainder of the 2019-2020 school year.

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

Section 1. Pursuant to House Bill 197, and action by the Governor of Ohio on April 20, 2020, indefinitely extending the March 14, 2020 Order closing schools in Ohio to students through at least the remainder of the 2019-2020 school year, the Board hereby extends the amendment of the distance learning plan identified in Resolution # 2020-1062, 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 student instruction hours the District's schools will be closed through the remainder of the 2019-2020 school year.

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.

Resolution extending the Authorization for staffing and compensation of employees during the ordered school closure (2020-1073)

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 April 3, 2020, ("School Closure Order") as a result of a pandemic and declared state of emergency in the State of Ohio related to COVID-19; and

WHEREAS, on March 22, 2020, the Governor of the State of Ohio issued an official Stay At Home Order applicable to all Ohioans during the period of pandemic and declared state of emergency, with the Stay At Home Order in effect from March 23, 2020 through April 6, 2020; and

WHEREAS, on March 30, 2020, the Governor of the State of Ohio extended the School Closure Order through May 1, 2020, as a result of the ongoing pandemic and declared state of emergency in the State of Ohio related to COVID-19; and

WHEREAS, on April 2, 2020, the Governor of the State of Ohio issued an official Order extending the Stay At Home Order through May 1, 2020; and

WHEREAS, on April 20, 2020, the Governor of the State of Ohio indefinitely extended the School Closure Order through at least the end of the 2019-2020 school year, as a result of the ongoing pandemic and declared state of emergency in the State of Ohio related to COVID-19; 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, 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, through the remainder of the 2019-2020 school year; and

WHEREAS, it is the Board's expectation that administrative, supervisory and non-bargaining employees be available to report for duty at all times as directed by the Superintendent during the period of ordered school closure, through the remainder of the 2019-2020 school year; and

WHEREAS, the Board's expectation in this regard is codified in the Board's Policies 1130, Conflict of Interest, 3113, Conflict of Interest, and 4133, Conflict of Interest; 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, through the remainder of the 2019-2020 school year;

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 of the State of Ohio through the remainder of the 2019-2020 school year;

BE IT FURTHER RESOLVED that the Clark-Shawnee Local School District Board of Education authorizes the Superintendent to ensure such employees comply with the provisions of Board Policies 1130, Conflict of Interest, 3113, Conflict of Interest, and 4133, Conflict of Interest, in being directed to perform work for the District during the period of ordered school closure through the remainder of the 2019-2020 school year;

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, and extensions thereof, through the remainder of the 2019-2020 school year.

RESOLUTION REGARDING COMPENSATION OF SUPPLEMENTAL CONTRACTS (2020-1074)

WHEREAS, the Ohio Director of Health issued an order on March 14, 2020, which directed that due to the COVID-19 pandemic, schools in the State of Ohio, including the Clark Shawnee Local School District (the "District"), will be closed to students for an extended period of time up to and through May 1, 2020;

WHEREAS, on April 20, 2020, the Governor of Ohio announced an indefinite extension of the school building closure through at least the end of the 2019-2020 school year for the same purposes as set forth in the March 14, 2020 Order;

WHEREAS, on April 20, 2020, the Ohio High School Athletic Association announced the cancelation of all school-sponsored spring sports contests and tournaments for the 2020 season;

WHEREAS, The Board and the Clark-Shawnee Local Educational Association ("CSLEA") are Parties to a collective bargaining agreement in effect from July 1, 2019, through June 30, 2022 ("Agreement"); and

WHEREAS, Article XXVIII, Salary Schedules Extra Duty Compensation Plan of the Agreement provides that employees under Supplemental Contracts who perform extra-curricular duties shall be paid pursuant to the Extra Duty Salary Schedule in Article XXVIII, but only if and when all job responsibilities for the extra duty position as described in the job description for the position have been performed; and

WHEREAS, employees who have been awarded Supplemental Contracts either for the entire 2019-2020 school year, or for Spring 2020 student athletic and activity seasons/programs have been unable to fully perform the duties associated with said Supplemental Contracts, either in whole or in part, due to the state-wide school closure Order(s) referenced above herein; and

WHEREAS, in light of the above-referenced Orders and official announcements, and the inability of employees who have been awarded Supplemental Contracts either for the entire 2019-2020 school year, or for Spring 2020 student athletic and activity seasons/programs to complete the duties associated with such positions, the Board and the CSLEA have in good faith negotiated the terms of a Memorandum of Understanding to address compensation of said Supplemental Contracts covered under the Agreement;

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

Section 1. That the Board hereby adopts the Memorandum of Understanding (“MOU”) with the Association, as attached hereto, relative to employees who have been awarded either year-long Supplemental Contracts for the 2019-2020 school year or Spring 2020 season Supplemental Contracts. As delineated in the referenced MOU, such employees will be paid 100% of the total compensation amount for said Supplemental Contracts as set forth in the Extra Duty Compensation Plan in Article XXVIII of the Parties’ Agreement, despite the impediments created by the COVID-19-related school closure Order(s) to work being fully performed under said Supplemental Contracts.

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.

Resolution accepting the Donation of Baseball Coach Compensation (2020-1075)

WHEREAS, Ohio Revised Code Sections 3313.17 and 3313.36 empower a board of education to accept gifts or donations from any person or corporation;

WHEREAS, the Clark-Shawnee Local School District Board of Education (the "Board") has adopted policy 7230 and administrative guideline 7230 addressing donations to the Board;

WHEREAS, the Board and Clark-Shawnee Local Education Association ("CSLEA") have entered into a memorandum of understanding ("MOU") to the current Contractual Agreement(s) between the Parties (2019-2022) to document the fact that all baseball coaches hired under supplemental contract pursuant to the Contractual Agreement(s) for the 2019-2020 contract year have expressed a voluntary desire to forego payment of all such supplemental contract pay guaranteed under the Agreement with the express understanding that the payment be donated in full, pre-tax, to the Clark-Shawnee Local School District for the purpose of improvements to the baseball complex;

WHEREAS, the Board desires to acknowledge the generous gift memorialized in the MOU referenced above herein, and to recognize the 2019-2020 baseball coaches for their generous donation, on the terms set forth below.

NOW THEREFORE BE IT RESOLVED, the Clark-Shawnee Local School District Board of Education (the "Board") in accordance with and pursuant to Ohio Revised Code Sections 3313.17 and 3313.36 and Board policy 7230 and administrative guideline ag7230, hereby accepts the donation from the 2019-2020 baseball coaches as set forth in the MOU between the Board and CSLEA, with the stipulation that the Board cannot commit to expending such donated funds for a specific earmarked purpose, but that the Board will expend such donated funds in an equivalent manner to benefit both male and female sports programs in the District.

BE IT FURTHER RESOLVED, that the Superintendent and Treasurer are hereby authorized on behalf of this Board to execute any and all documents to complete the donation set forth in the MOU between the Board and CSLEA.

BE IT FURTHER RESOLVED, that the Board publicly thanks and recognizes all 2019-2020 baseball coaches for their generosity and thoughtfulness in making such donation.

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 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 in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Regular Board Meeting Schedule Updates

The regular Board Meeting for June will take place on June 23, 2020 at 7:00 PM.

The regular Board Meeting for July will take place on July 16, 2020 at 7:00 PM.

Mr. Galbreath seconded the motion.

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

The President declared the motion carried.

EXECUTIVE SESSION (2020-1076)

Mr. Galbreath moved to go into executive session at 8:29 p.m. under Ohio Revised Code 121.22 [G] for the purpose of the employment of personnel.

Mrs. Garrett seconded the motion.

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

The President declared the motion carried.

Mrs. Pierce declared the Board back in regular session at 9:10 p.m.

ADJOURNMENT

Mr. DeHart moved to adjourn the meeting at 9:26 p.m.

Dr. Page seconded the motion.

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

President

Treasurer