

OLENTANGY LOCAL SCHOOL DISTRICT
BOARD OF EDUCATION RESOLUTION

March 24, 2015

WHEREAS, Matthew Rausenberg currently is employed by the Olentangy Local School District Board of Education as a teacher; and

WHEREAS, the Board believes a teacher must maintain a position of trust as a positive role model for students, protect student health, safety and welfare and credibly assert authority to enforce provisions of the Elementary School Student Handbook and other Board policies; and

WHEREAS, the Board believes a teacher properly can be held to a standard of behavior consistent with the teacher's responsibilities as a positive role model for students; the need to protect student health, safety and welfare; to credibly enforce provisions of the Elementary School Student Handbook and Board policies; and to follow and implement other Board directives and essential functions and duties and responsibilities set forth in the Teacher Job Description; and

WHEREAS, the Board believes Mr. Rausenberg's misconduct, as alleged hereinbelow, is wholly contrary to his responsibilities, duties and obligations as a teacher; and

WHEREAS, pursuant to R.C. 3319.40, the District suspended Mr. Rausenberg effective March 17, 2015 as a result of his criminal arrest;

WHEREAS, the Superintendent has recommended that the Board initiate termination proceedings against Mr. Rausenberg for his misconduct, as alleged hereinbelow, and has further recommended that he continue to be suspended without pay or benefits pending the resolution of such proceedings; and

WHEREAS, the Board agrees with the aforesaid recommendations; and

WHEREAS, Mr. Rausenberg was informed of the charges against him, as alleged hereinbelow, was afforded an opportunity to respond to these charges, and offered a meeting with him or his representative to respond to the charges, with notice given via letter dated March 22, 2015;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 3319.16 of the Ohio Revised Code, that the Olentangy Local School District Board of Education intends to consider the termination of Matthew Rausenberg's contracts of employment for good and just cause. The grounds for such consideration, each of which is asserted by a paragraph below and each of which is asserted independent of, and/or in combination with, some or all of the other grounds enumerated, are:

1. Mr. Rausenberg engaged in misconduct as detailed in Criminal Complaints filed on March 17, 2015 in the Delaware County Municipal Court, Court Case # 15-CR-A-00733-A and B. These criminal complaints are incorporated by reference herein and copies are attached to this resolution. As indicated in these complaints, Mr. Rausenberg's misconduct occurred on school grounds and the victims were students in the District.

2. Based on Mr. Rausenberg's arrest and the charges on the offenses stated in paragraph 1 herein, and incorporated by reference, the District was required by R.C. 3319.40 to suspend Mr. Rausenberg effective March 17, 2015 from all duties that require the care, custody, or control of a child during the pendency of the criminal action against him. Because his duties as a teacher necessarily involve the care, custody or control of children, Mr. Rausenberg is incapable of performing his contracted duties.
3. Upon Mr. Rausenberg's arrest on March 16, 2015, he was placed in jail. He has not been released from jail and has been absent from his job without leave. Therefore, Mr. Rausenberg is incapable of performing his contracted duties.
4. Mr. Rausenberg engaged in misconduct as detailed in the Search Warrant Affidavit, Paragraphs 2-14, filed on March 16, 2015 in the Delaware County Municipal Court, Case No. 15-SW-28. The search warrant affidavit is incorporated by reference herein and a copy is attached to this resolution.
5. On November 28, 2012, Mr. Rausenberg was warned regarding his physical contact with students. He was informed that if he engaged in any further unprofessional or unethical behavior, violated Olentangy Board policy, or did not follow an administrative directive, he would face disciplinary action up to and/or including termination.
6. During the week of March 16, 2015, law enforcement officials searched Mr. Rausenberg's home after obtaining a search warrant. During this search, they discovered 33 marijuana plants and several grow lights in the basement of his home and/or a space shared with his tenant, along with drug paraphernalia in an upstairs bedroom in his home. Mr. Rausenberg engaged in the cultivation, manufacture and/or possession of marijuana and/or illegal drug activity, and/or accepted or conducted this activity because he knew and/or should have known that he had marijuana, drug paraphernalia and/or other evidence of a marijuana growing operation in his home and/or a space shared with his tenant.
7. Mr. Rausenberg, based on the misconduct stated in the above-numbered paragraphs herein, and incorporated by reference, has created considerable negative publicity for the District. Mr. Rausenberg's misconduct was the subject of broadcast, print and online coverage by media outlets including, without limitation, all three (3) network television affiliates in Columbus, the *Columbus Dispatch*, and the *Delaware Gazette*, during the week of March 16, 2015.

BE IT FURTHER RESOLVED that, in the Board's judgment, the character of the aforesaid charges warrants Mr. Rausenberg's suspension without pay or benefits pending final action to terminate his contracts, and Mr. Rausenberg hereby is suspended, without pay or benefits, pursuant to R.C. 3319.40 and/or R.C. 3319.16, effective March 24, 2015;

BE IT FURTHER RESOLVED that the Board intends to proceed with formal action to terminate Mr. Rausenberg's contracts of employment, unless within ten days after receipt of the notice from the Treasurer of the District of this resolution, Mr. Rausenberg files with the Treasurer a

written demand for a hearing before the Board or before a referee, in which case the procedures appearing in Sections 3319.16 and 3319.161 of the Ohio Revised Code will be observed;

BE IT FURTHER RESOLVED that the Treasurer is authorized and directed promptly to furnish Mr. Rausenberg a written notice, signed by the Treasurer, of the Board's intention to consider the termination of his contracts of employment with a full specification of the grounds for such consideration.