

**March 19, 2020**

The **Indian Creek Board of Education** met in regular session on Thursday, March 19, 2020 at 6:00 P.M. at the Indian Creek Middle School, Mingo Junction, Ohio. President Daniel Bove, Jr. called the meeting to order and led the Pledge of Allegiance. At roll call, the following Board members were present: Dr. John Figel, Mr. Daniel Bove, Jr., Mrs. Kimberly Mark, Dr. Ted Starkey and Mr. Bob Smith.

**READING, APPROVAL, SIGNING OF MINUTES**

**#19-03-2020**

Mrs. Mark moved and Dr. Starkey seconded the motion to approve the minutes from the February 20, 2020 regular meeting. **Vote on motion:** Mrs. Mark, yes; Dr. Figel, yes; Mr. Bove, yes; Mr. Smith, yes; Dr. Starkey, yes. **Motion approved 5-0.**

**BILLS, FINANCIAL, BANK RECONCILIATION**

**#20-03-2020**

Dr. Starkey moved and Dr. Figel seconded the motion to approve the bills, financial report and bank reconciliation for the month of February 2020. **Vote on motion:** Dr. Figel, yes; Mr. Smith, yes; Mr. Bove, yes; Dr. Starkey, yes; Mrs. Mark, yes. **Motion approved 5-0.**

**INTRODUCTIONS AND RECOGNITION OF GUESTS**

I.C.E.A. – President, Karen Lloyd discussed what the teachers are doing to ensure continued learning during the school building closures:

- Educational packets sent to PK to 4<sup>th</sup> grade students
- Online communications to parents
- Phone communication with parents and students

Dr. Figel discussed concerns for students who do not have access to internet

O.A.P.S.E. – No representative present

Principal/Administrative Council – No representative present.

**COMMUNICATIONS** - Dr. Chappelle read a letter from Ohio District 95 Representative, Don Jones, Chair of the Primary and Secondary Education Committee, regarding the Ed Choice voucher issue. He noted that the legislature is working on a proposal.

**OLD BUSINESS** – None.

**ACCEPT ADDENDUM**

**#21-03-2020**

Mrs. Mark moved and Dr. Starkey seconded the motion to accept an addendum to include item L under New Business. **Vote on motion:** Mr. Smith, yes; Mrs. Mark, yes; Dr. Starkey, yes; Dr. Figel, yes; Mr. Bove, yes. **Motion approved 5-0.**

March 19, 2020

**NEW BUSINESS**

**APPROVAL OF ITEMS A THOROUGH L**  
**#22-03-2020**

Mr. Bove moved and Dr. Starkey seconded the motion to approve items A through L under New Business.

**A. Bills to Be Considered, Over \$5,000.00 and/or Improper Procedure**

The Treasurer recommends payment of the following invoices that have been submitted for payment:

Jefferson Landmark, \$17,023.40 for fuel for buses  
ESC Northeast Ohio, \$8,214.24 for substitute teacher services  
The Silver Lining Group, \$39,129.55 for services for special needs student  
CHASE Visa, \$8,957.10 for ICHS teachers Solution Tree PLC Conference (*paid by School Improvement Grant*)  
Borden Office Equipment, \$29,970.00 copiers for ICMS  
Sparachane Ent., \$5,221.65 for semi-formal dance (*paid by ICHS Student Activities Council fund*)  
ESC Northeast Ohio, \$10,097.76 for substitute teacher services  
Solution Tree, \$5,200.00 for professional development services (*paid with Title II A grant*)

**B. Agreement – Comp Management, Inc.**

The Treasurer recommends entering into an agreement with Comp Management, Inc. for workers' compensation, unemployment compensation, and safety administration services for the group retrospective rating program for the enrollment period of January 1, 2021 through December 31, 2021 for \$4,985.00. The service agreement is in association with the Ohio School Boards Association and the Ohio School Business Officials Association.

**C. 2020-21 Calendar**

The Superintendent recommends the Board approve the District Calendar for the 2020-2021 school year and any changes or adjustment that might arise.

**D. Resolution – Indian Creek Students participating in Jefferson County Fair.**

The superintendent recommends that the board pass a resolution stating that student absences due to participation in the 2020 Jefferson County Fair will be considered excused and students will be permitted to make up any and all work missed during that time period. These absences will not count towards the requirements of HB 410 in regards to student attendance.

**E. Board Policies**

The Superintendent recommends the Board approve the following policies:

BDC - Executive Sessions  
BDDG – Minutes

**March 19, 2020**

GBCB – Staff Conduct  
GBH (also, JM) – Staff – Student Relations  
JED – Student Absences and Excuses  
JEE – Student Attendance Accounting (Missing and Absent Children)  
JFCF – Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JFCF-R – Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JM (Also, GBH) – Staff-Student Relations

New Policy

IKFC – Graduation Plans and Students at Risk of Not Qualifying for a High School Diploma  
IKF – Graduation Requirements

**F. Contract – Cintas – Fire Inspections**

The Superintendent recommends entering into a service agreement with Cintas for inspections of fire safety systems.

**G. Contract – Kalkreuth Roofing**

The Superintendent recommends entering into a service agreement with Kalkreuth for inspection and maintenance of district roofs.

**H. Memorandum of Understanding – Western Governors University**

The Superintendent recommends the Board enter into an agreement with Western Governors University to provide field experience and student teaching field-based/clinical experiences for the 2020-21 school year.

**I. GMP Submission for Indian Creek High School**

The superintendent recommends the Board approve the GMP Submission for Indian Creek High School (K-12 School CM at Risk Project). – See resolution below under item J

**J. GMP Submission for Cross Creek Elementary School**

The superintendent recommends the Board approve the GMP Submission for Cross Creek Elementary School (K-12 School CM at Risk Project). – See resolution below

March 19, 2020

**RESOLUTION BY THE SCHOOL DISTRICT BOARD  
TO ACCEPT GUARANTEED MAXIMUM PRICE AMENDMENT**

*WHEREAS*, the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio, met in regular session on March 19, 2020, and adopted the following Resolution; and

*WHEREAS*, the Ohio Facilities Construction Commission has approved the School District to participate in the Exceptional Needs Program (ENP) and executed a Project Agreement on November 2018; and

*WHEREAS*, the ENP Master Plan scope is to build one New High School to house grades 9-12 and Career Tech, build one New Elementary School to house grades PK-5, and an allowance to abate and demolish Indian Creek High School, Bantam Ridge Elementary and Wintersville Elementary; and

*WHEREAS*, Sol Harris/Day Architecture and their consultants, designed the New High School to house grades 9 - 12 and the New Elementary School to house grades PK-5 as set forth in the 75% complete Construction Documents and accompanying specifications and narratives; and Hammond Construction, Inc., as Construction Manager at Risk, has developed their Guaranteed Maximum Price (GMP) Amendment based upon the above mentioned 75% complete Construction Documents;

*NOW, THEREFORE, BE IT RESOLVED* by the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio, that the School Board hereby acknowledges the recommendation of the OFCC and Sol Harris/Day Architecture to accept and fund the GMP Amendments for the Construction Manager at Risk Contract as submitted.

Upon the roll call on the passage of the Resolution, the vote was as follows:

Mr. Daniel Bove, Jr. - Yes, President Mr. Bob Smith - Yes, Vice President  
Dr. John Figel - Yes Dr. Ted Starkey - Yes  
Mrs. Kimberly Mark - Yes

The foregoing is a true and correct excerpt from the minutes of the Regular Board Meeting held on March 19, 2020, of the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio showing the passage of the resolution set forth.

 \_\_\_\_\_, 2020  
Denise Todoroff, Treasurer Date

Resolution # 22-03-2020 (I)+(J)  
Approved 5-0

March 19, 2020

**K. GMP Submission for Hills Elementary School.**

The superintendent recommends the Board approve the GMP Submission for Hills Elementary School.

**RESOLUTION BY THE SCHOOL DISTRICT BOARD  
TO ACCEPT GUARANTEED MAXIMUM PRICE PROPOSAL**

*WHEREAS*, the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio, met in regular session on March 19, 2020, and adopted the following Resolution; and

*WHEREAS*, Sol Harris/Day Architecture and their consultants, designed the Renovations to Hills Elementary School as set forth in the 75% complete Construction Documents and accompanying specifications and narratives; and Hammond Construction, Inc., as Construction Manager at Risk, has developed their Guaranteed Maximum Price (GMP) Proposal based upon the above mentioned 75% complete Construction Documents;

*NOW, THEREFORE, BE IT RESOLVED* by the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio, that the School Board hereby acknowledges the recommendation of Sol Harris/Day Architecture to accept and fund the GMP Proposal as submitted.

Upon the roll call on the passage of the Resolution, the vote was as follows:

Mr. Daniel Bove, Jr. - Yes, President      Mr. Bob Smith - Yes, Vice President  
Dr. John Figel - Yes                      Dr. Ted Starkey - Yes  
Mrs. Kimberly Mark - Yes

The foregoing is a true and correct excerpt from the minutes of the Regular Board Meeting held on March 19, 2020, of the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio showing the passage of the resolution set forth.

Denise Todoroff \_\_\_\_\_ 3-19 \_\_\_\_\_, 2020  
Denise Todoroff, Treasurer                      Date

Resolution # 22-03-2020 (K)  
Approved 5-0

**L. Resolution**

The superintendent recommends the Board approve a resolution for the operation of schools during the pendency of Executive Order 2020-01D, ODH Director's order regarding the closure of all K-12 schools in Ohio and future orders requiring District response.

**RESOLUTION FOR THE OPERATION OF SCHOOLS DURING THE PENDENCY OF EXECUTIVE ORDER 2020-01D, ODH DIRECTOR'S ORDER REGARDING THE CLOSURE OF ALL K-12 SCHOOLS IN OHIO AND FUTURE ORDERS REQUIRING DISTRICT RESPONSE**

Whereas, the COVID-19 pandemic and the resulting State of Ohio Executive and Department Orders, as well as related Agency Orders, necessitate that the Board of Education pass the following resolution:

## March 19, 2020

These Orders include, but are not limited to

1. Governor Mike DeWine's Executive Order 2020-01D, March 10, 2020.
2. Ohio Department of Health Director Amy Acton, M.D., MPH Order In Re: Order the Closure of All K-12 Schools in the State of Ohio.
3. Ohio High School Athletic Association Order, March 13, 2020
4. Any other order's or directives of duly authorized Ohio State Officials in relation to COVID-19 that may occur during the pendency of Executive Order 2020-01D.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio, that:

### Section 1: School Building Closure

Effective 12:01 a.m. on March 17, 2020 and continuing until April 3, 2020, all Board buildings are closed to students ("School Closure"). The Board confirms the authority of the Superintendent to comply with this order as well as any subsequent orders that expand upon the school closure.

### Section 2: Essential Employees

The Board confirms the authority of the Superintendent to declare which Board Employees are essential for the function of the District during the School Closure.

### Section 3: Unauthorized Leave

- A. Unauthorized leave is defined as non-performance of those duties and responsibilities assigned by the Superintendent and Supervisors including all duties and responsibilities as defined by state law, rules and regulations of the Board, and administrative rules and regulations. Such unauthorized leave may include, but is not limited to, individual and/or collective refusals to provide service, unauthorized use of sick leave, unauthorized use of other leave benefits, non-attendance at required meetings and failure to perform duties as assigned by the Superintendent during the School Closure.
- B. An employee is deemed to be on an unauthorized leave at such time and on such occasions as the employee may absent himself/herself from required duties during the School Closure.
- C. Unauthorized leave shall constitute a breach of contract and, therefore, may result in the initiation of dismissal procedures, loss of salary and fringe benefits or such disciplinary action as may be deemed appropriate.

### Section 4: Substitute Employees

The Superintendent is authorized to hire substitute employees as may be deemed necessary during the pendency of the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders) to replace employees who are on leave or unable to report to work due to exposure to or positive test for COVID-19 or due to any Executive or State Department Order related to quarantine. The Superintendent and Treasurer is authorized to pay such substitute employees as current Board approved substitute rates.

### Section 5: Temporary Employees

The Superintendent is authorized to hire any necessary temporary employees for the duration of the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders) as may be deemed necessary by the Superintendent.

### Section 6: Leasing of Equipment and Purchase of Supplies and Services

The Superintendent is authorized to purchase, obtain, lease or otherwise utilize and pay for all necessary supplies, personnel services, and the services of any and all equipment which is deemed necessary during the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders). Said equipment may include, but is not limited to, motor vehicles, communication devices, and other items.

**March 19, 2020**

Section 7: Authorization of Superintendent

The Superintendent or designee shall be authorized to make any changes necessary to maintain the educational program and provide for the safety of all students and staff.

Section 8: School Sponsored Athletics

The OHSAA has directed that there be a mandatory no-contact period for all sports as well as no use of sports facilities until April 5, 2020. The Superintendent is directed to take any and all necessary action enforce the OHSAA order.

Section 9: Spring Supplemental/Co-Curricular Contracts

Due to the Orders set forth above, all supplemental/co-curricular and athletic contracts are hereby temporarily frozen. The Superintendent shall determine, based upon the orders above and subsequent orders, if and when the Supplemental contracts will be re-instated or rescinded. The Superintendent and Treasurer are authorized to pay any prorated portion of the contract for services rendered under such contracts prior to the cessation of activities.

Section 10: Meals for Students

The Board authorizes the Superintendent to take any action deemed appropriate and necessary during the School Closure to provide meals to students who qualify for free and reduced programs. The Superintendent is further authorized to provide meals to any student deemed to be in need during the pendency of the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders).

Section 11: Treasurer's Authority

By this action, the Board hereby appropriates the funds necessary for the enforcement and execution of this resolution and further authorizes and directs the Treasurer to encumber and pay any funds necessary for the enforcement and enactment of any aspect of this resolution.

Section 12: Board Policy Emergency Suspension

By this action, the Board hereby suspends any and all Board Policies that conflict with the authority granted herein.

Section 13: Compliance with Public Meetings Law

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 the Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Vote on motion:** Mrs. Mark, yes; Mr. Smith, yes; Dr. Figel, yes; Dr. Starkey, yes; Mr. Bove, yes.  
**Motion approved 5-0.**

**OTHER MATTERS**

**PERSONNEL**

**APPROVAL OF ITEMS A THOROUGH I**  
**#23-03-2020**

Dr. Starkey moved and Mrs. Mark seconded the motion to approve items A through I under Personnel.

**March 19, 2020**

**A. Classified Substitute List**

The Superintendent recommends the Board approve employment of the following individuals for inclusion on the classified substitute list for the positions listed for which they currently qualify and for any subsequent positions for which they may qualify:

John Alvis - Bus Driver, upon completion of Driver's Training, and Custodian.  
David Laughery - Custodian, summer help only @ Hills Elementary  
Brandy Riley – Cafeteria  
Karen Rish - Bus Driver  
Andrew Bowersock - Bus Driver, upon completion of Driver's Training, and Custodian

**B. Continuing Contract – Classified**

The Superintendent recommends the Board approve the continuing contract for Kevin Gray, effective 3/22/2020.

**C. Resignation – Classified**

The Superintendent recommends the Board approve the resignation of Brenda Spencer, paraprofessional for personal reasons, effective February 29, 2020.

**D. Employment – Classified**

The Superintendent recommends the Board approve the employment of Cathy Darling as Cook/Cashier, WES, 3.25 hours per day, 5 days per week, 186 days pro-rated, effective 3/20/2020. Approve Probationary Contract, effective 3/20/2020.

**E. Employment – Classified**

The Superintendent recommends the Board approve the employment of Erin Mort as a Bus Driver, 6 hours per day, 5 days a week, 186 days pro-rated, effective 3/20/2020. Approve Probationary Contract, effective 3/20/2020.

**F. Employment – Classified**

The Superintendent recommends the Board approve the employment of Kenneth Fiest as a Paraprofessional, Severe Needs - WES - 5.75 hours a day, 5 days a week, 186 days pro-rated, effective 3/20/2020. Approve Probationary Contract, effective 3/20/2020

**G. Leave of Absence – Certified**

The Superintendent recommends the Board approve the maternity leave of absence beginning the 2020-21 school year for Katie Emley, 5<sup>th</sup> Grade ELA teacher at Indian Creek Middle School. Mrs. Emley has indicated that she will return the 2021-22 school year.



**March 19, 2020**

**H. Resignation – Certified**

The Superintendent recommends the Board approve the resignation request of Vangelle Stakias, 4<sup>th</sup> Grade teacher, Wintersville Elementary for retirement purposes, effective 6/1/2020. Ms. Stakias retires after 24 ½ years of service to the Indian Creek School District.

**I. Volunteer - Baseball**

The Superintendent recommends the Board approve Sean Smith as a volunteer for baseball for the 2019-20 school year.

**Vote on motion:** Dr. Starkey, yes; Dr. Figel, yes; Mr. Smith, yes; Mr. Bove, yes; Mrs. Mark, yes.  
**Motion approved 5-0.**

**REPORT OF BOARD LIAISONS**

- a. Student Achievement – Mrs. Kim Mark commended the following:
- Advancement of ICBS Reese Spencer, Austin Starr and Elijah Llewellyn to the OHSAA State Tournament
  - ICBS Wrestler, Ellie Paterra, for advancing and placing runner-up in the OHSAA Girls Wrestling Tournament
  - ICBS Swim Team
  - ICMS Band for outstanding concert
  - Wintersville Elementary Literacy Night participants and preparers of the event
  - ICBS Girls Basketball team and coaches for an outstanding season
- b. Legislative – Dr. Ted Starkey – no report.

**REPORT OF BOARD ADVISORY COMMITTEES** - No report.

**REPORT OF TREASURER/CFO** – Mrs. Todoroff provided an investment update on the building project funds.

**REPORT OF ASSISTANT SUPERINTENDENT** - Mr. Belt discussed the following:

- New high school project bids extended until March 24, 2020
- Food distribution program during building closure

**REPORT OF SUPERINTENDENT** – Dr. Chappelle discussed the following:

- Building project update
- Parking at the high school during construction
- OHSAA update regarding closure of schools and how it affects athletics
- His appreciation for the teachers and staff who are working to engage students and making the best out of this tough situation

**March 19, 2020**

**ADJOURNMENT**

**#24-03-2020**

Mr. Bove moved to adjourn. All Yes. Time: 6:46 P.M.

ATTEST:

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Board President

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Treasurer