

December 13, 2022

The Clark-Shawnee Local Board of Education met in a regular session on December 13, 2022, at Shawnee Middle and High School, 1675 East Possum Road, Springfield, OH 45502. The meeting was called to order at 6:30 p.m. by President DeHart. 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 AND ADDENDUM (2022-1322)

Mrs. Garrett moved to accept the agenda and addendum.
Mrs. Pierce Seconded the motion.
Ayes: Garrett, Pierce, Page, DeHart, Galbreath.
The President declared the motion carried.

REQUESTS AND CONCERNS OF THE GENERAL PUBLIC

| | |
|------------------|---------------------|
| Janel Bumgardner | Athletic Facilities |
| Jeff Bumgardner | Athletic Facilities |

ACCEPTANCE OF CONSENT CALENDAR – FINANCIAL (2022 - 1323)

Mrs. Garrett 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. Permission to Pay Ohio BWC Invoice for 2023 Premium in the Amount of \$57,379.00**

5. **Permission to transfer from the 003 PI Fund to the 034 Maintenance Fund in the amount of \$171,908.**
6. **Appropriations Modifications**
7. **Acceptance of donation of \$1351.09 from The Giving Pump, True North Energy, LLC., for the Brave Leaders Club.**
8. **Continuation of Current Student Breakfast Pricing**
Mr. Tom Faulkner, Treasurer, is requesting permission to extend the current no-cost breakfast offering to students for the duration of the 2022-2023 school year.

Dr. Page Seconded the motion.

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

ACCEPTANCE OF CONSENT CALENDAR – PERSONNEL (2022-1324)

Dr. Page moved to approve the following:

Resignation

To accept Mrs. Tiffany Cotrell, Middle School Basketball Cheerleading Advisor, letter of resignation effective November 21, 2022.

To accept Mrs. Dawn York, Custodian, letter of resignation effective November 21, 2022.

Employment

Certified

To employ Mrs. Linda Slusher as Title 1 Tutor for the 2022-2023 school year. [Current Assignment: Shawnee Elementary]

Additional Duty Certified

To employ Mr. Mark Myers as Winter Site Manager for the 2022-2023 school year.

Support Staff

To employ Mr. Steve Stewart for snow removal on an as-needed basis for the 2022-2023 school year.

Additional Duty Support Staff

The following supplemental positions for the pupil activity programs in the Clark-Shawnee Local School District were first offered to those employees of the

District who are licensed individuals and no such employee applied and was qualified to fill the position such that the position was accepted by any such employee. The Board then advertised the position as available to any licensed individual who is qualified to fill it and who is not employed by the Board, and no such person has applied for and accepted the position. Thus, the Board resolved to employ the following non-licensed individuals to fill the following supplemental position.

To employ Mr. James Ballard as Middle School Wrestling Assistant Coach for the 2022-2023 school year.

To employ Mrs. Mallory Krouse as Middle School Basketball Cheerleading Advisor for the 2022-2023 school year.

Substitutes

To employ Ms. Jamie Jackson as Substitute Bus Driver for the 2022-2023 school year.

Non-Paid Leave

To approve Mrs. Erin Delk, Teacher at Shawnee HS, request for non-paid medical leave beginning on/around May 22, 2023 through June 8, 2023.

Rescinding Employment Action

To rescind the October 18, 2022 action to employ Mr. James Todd Ballard as Girls Varsity Basketball Assistant Coach for the 2022-2023 school year.

Memorandum of Understanding: Modification to Girls High School Varsity Head Basketball Supplemental Contract

To approve Mr. Brian Kuhn's, Superintendent, recommendation to approve the Memorandum of Understanding with the Clark-Shawnee Local Education Association modifying the Girls High School Varsity Head Basketball supplemental contract. [Reference Exhibit B.]

Memorandum of Understanding: Stipends for Dyslexia Training as Required by ORC Sections 3323.251, 3319.077, 3319.078, and 3323.25

To approve Mr. Brian Kuhn's, Superintendent, recommendation to approve the Memorandum of Understanding with the Clark-Shawnee Education Association to pay stipends to teachers required to complete dyslexia training as codified in ORC Sections 3323.251, 3319.077, 3319.078, and 3323.25. [Reference Exhibit C.]

Mrs. Pierce seconded the motion.

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

CONTRACT AMENDMENTS (2022-1325)

Mr. Galbreath moved to approve the following:

To amend the employment contract of Mr. Mark Martin, PM Custodian, to Mid-Shift/PM Coordinator effective December 12, 2022. [Current Assignment: Shawnee ES]

To amend the bus driver (removing Ms. Naomi Smith) and bus aide contracted route times as outlined in Exhibit A for the 2022-2023 school year.

Mrs. Garrett Seconded the motion.

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

SMITH CONTRACT AMENDMENT (2022-1326)

Mrs. Garrett moved to approve the following:

To amend the contracted route time of Ms. Naomi Smith as outlined in Exhibit A for the 2022-2023 school year.

Mr. Galbreath Seconded the motion.

Ayes: Galbreath, Garrett, Pierce, Page.

Abstain: DeHart.

ACCEPTANCE OF CONSENT CALENDAR – RESOLUTIONS/MISCELLANEOUS (2022-1327)

Mrs. Pierce moved to approve the following:

Business Advisory Council with Clark County ESC

WHEREAS, Ohio Revised Code Section 3313.82 requires the board of education of each school district to appoint a business advisory council, except that a school district that has entered into an agreement under section 3313.843 of the Revised Code to receive any services from an educational service center is not required to appoint a council if the school district and educational service center agree that the educational service center's council will represent the business of the district; and

WHEREAS, the Clark-Shawnee Local School District Board of Education ("Board") is in an agreement under Ohio Revised Code Section 3313.843 to receive

services from the Clark County Educational Service Center for the 2022-2023 school year; and

WHEREAS, the Clark County Educational Service Center ("Center") has appointed a business advisory council for Clark County school districts for the 2022-2023 school year;

NOW, THEREFORE BE IT RESOLVED, that the Clark-Shawnee Local School District Board of Education ("Board") hereby authorizes and agrees that the business advisory council for the Clark County Educational Service Center ("ESC") will represent the business of the Clark-Shawnee Local School District for the 2022-2023 school year;

BE IT FURTHER RESOLVED that through this authorization and agreement, the Board expects that the business advisory council for the ESC will advise and provide recommendations to the Board on matters specified by the Board including, but not necessarily limited to, the delineation of employment skills and the development of curriculum to instill these skills, changes in the economy and in the job market, and the types of employment in which future jobs are most likely to be available, and suggestions for developing a working relationship among businesses, labor organizations, and educational personnel.

OSBA Membership

To approve Mr. Brian Kuhn's, Superintendent, recommendation to renew the board's OSBA membership.

Approval of Engagement Letter for Legal Counsel

To approve Mr. Brian Kuhn's, Superintendent, recommendation to engage with Roetzel & Andress for legal services from Mrs. Lisa Burleson. [Reference Exhibit D.]

Dr. Page Seconded the motion.

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

RELEASE TIME FOR RELIGIOUS INSTRUCTION (2022-1328)

Mrs. Pierce moved to approve the following:

To approve board policy 5223–Release Time for Religious Instruction. (Tabled from the November 17, 2022, regular meeting.)

Mr. Galbreath Seconded the motion.

Ayes: Pierce, DeHart, Galbreath, Garrett.

Nays: Page.

EXECUTIVE SESSION (2022-1329)

Mr. DeHart moved to go into Executive Session for the discipline of public employees at 8:15 pm.

Mrs. Pierce Seconded the motion.

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

Mr. DeHart declared the board out of executive session at 8:35 pm.

RESOLUTION TO ISSUE A LAST CHANCE AGREEMENT AND SUSPEND WITHOUT PAY THE NON-TEACHING CONTRACT OF MRS. BARBARA YIRAK (2022-1330)

Mrs. Garrett moved to approve the following:

WHEREAS, Section 3319.081 of the Ohio Revised Code, which governs termination and suspension procedures for non-teaching employees, provides that a board of education may suspend a non-teaching employee for a definite period of time for reasons set forth in the statute, which includes the reason of violation of written rules and regulations as set forth by the board of education and for dishonesty; and

WHEREAS, the Clark-Shawnee Local School District Board of Education ("Board") employs Betsy Yirak ("Yirak") under a limited non-teaching contract pursuant to Ohio Revised Code Section 3319.081; and

WHEREAS, the Superintendent has determined, based upon internal investigation, that Yirak has engaged in conduct that violates various Policies of the Board, and has also engaged in dishonesty as part of the investigation of said conduct, as set forth in the notice of intent issued to Yirak by the Superintendent on December 12, 2022; and

WHEREAS, based upon the results of said internal investigation, the Superintendent is recommending that the Board impose a disciplinary suspension without pay for a period of five (5) work days starting on December 19, 2022 and ending on January 3, 2023, as well as a last chance agreement, based upon the grounds as set forth in the Superintendent's written notice of intent issued to Yirak dated December 12, 2022; and

WHEREAS, in the Superintendent's written notice of intent issued to Yirak dated December 12, 2022, Yirak was served with official written notice of her right to a due process hearing before the Board at the Board's regular public meeting on December 13, 2022, regarding the Superintendent's recommendation that the Board impose a disciplinary suspension without pay, prior to the Board taking any public action regarding the Superintendent's recommendation; and

WHEREAS, Yirak did not appear for the due process hearing before the Board, held in executive session of the Board, at the Board's regular public meeting December 13, 2022; and

WHEREAS, the Board has fully considered all matters presented to and before the Board regarding the grounds for the Superintendent's recommendation that impose a disciplinary suspension without pay for a period of five (5) work days, as well as a last chance agreement, and the Board takes official public action on the Superintendent's recommendation as follows;

NOW, THEREFORE BE IT RESOLVED, that the Clark-Shawnee Local School District Board of Education ("Board") hereby acts to approve the Superintendent's recommendation to place non-teaching employee Betsy Yirak on disciplinary suspension without pay for a period of five (5) work days, starting on December 19, 2022, and ending on January 3, 2023, based upon the grounds as stated in the Superintendent's written notice of intent issued to Yirak dated December 12, 2022, which the Board has determined, upon its review and consideration of the Superintendent's recommendation, constitutes grounds for such action under Ohio Revised Code Section 3319.081;

BE IT FURTHER RESOLVED, that the Clark-Shawnee Local School District Board of Education hereby acts to approve the Superintendent's recommendation to impose a last chance agreement to govern the remaining term of non-teaching employee Betsy Yirak's limited contract of employment with the District, on the terms as presented to the Board;

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, along with a copy of said Resolution, to non-teaching employee Betsy Yirak, and further hereby directs its Superintendent and Treasurer to faithfully execute the terms this Resolution as stated herein.

Mr. Galbreath Seconded the motion.

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

EXECUTIVE SESSION (2022-1331)

Mr. DeHart moved to go into Executive Session for the employment of personnel 8:36 pm.

Mrs. Pierce Seconded the motion.

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

Mr. DeHart declared the board out of executive session at 8:46 pm.

ADJOURNMENT

Mrs. Garrett moved to adjourn the meeting at 9:30 p.m.
Mr. Galbreath Seconded the motion.
Ayes: Garrett, Pierce, Page, DeHart, Galbreath.

David S DeHart
President

J. A. Ha
Treasurer

EXHIBIT A

| NAME | POISITION | CURRECT CONTRACT HOURS | AMENDED CONTRACT HOURS |
|---------------------|------------------|-------------------------------|-------------------------------|
| BARGER , REBECCA L | BUS DRIVER | 6 | 6.5 |
| BECKEL , GINA R | BUS DRIVER | 5.5 | 5.25 |
| BOWERS , PEGGY L | BUS DRIVER | 6 | 6.25 |
| BOWERS, PEGGY L | PRESCHOOL ROUTE | 1.25 | 1 |
| GRUBBS, CHASEY | BUS DRIVER | 5 | 5.25 |
| HOLMES , MERITA J | BUS DRIVER | 5.5 | 6 |
| HOWARD , AMY K | BUS AIDE | 5.5 | 6 |
| HOWARD , TERRA J | BUS DRIVER | 5.75 | 5.5 |
| JOHNSON, ANGELA | BUS AIDE | 5.5 | 6 |
| JONES , DREMA D | BUS DRIVER | 5.25 | 5.5 |
| LIAS, ALAN | BUS DRIVER | 5.25 | 5.5 |
| LYONS, JANICE | PRESCHOOL ROUTE | 1.25 | 1.5 |
| NOFFKE , JODIE L | BUS DRIVER | 5.75 | 5.25 |
| SMITH , NAOMI R | BUS DRIVER | 5.75 | 6 |
| SPICER , KELSEY | BUS DRIVER | 5.25 | 5.5 |
| WILLIAMS , STEVEN J | BUS DRIVER | 6.25 | 6.5 |