

RECORD OF PROCEEDINGS

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New Miami Board of Education

August 26, 2021

The regular meeting of the New Miami Board of Education was held on Thursday, August 26th, 2021 at 6:00 p.m. in the New Miami MS/HS cafeteria. The meeting was called to order by Mr. Cook.

ROLL CALL

Present: Mrs. Carbary, Mr. Chapman, Mrs. Slagle, Mr. Cook
Absent: Mrs. Gray

APPROVAL OF MINUTES

164-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the minutes of the regular meeting held on July 22nd, 2021 and the special meetings held on July, 9th, 19th, and 27th, 2021 as presented. The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook
Nays: None
Motion Carried

TREASURER'S ITEMS

165-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the financial report for July, 2021 as presented. The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook
Nays: None
Motion Carried

166-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the following advance repayments:

\$246,379.58 from 507-9522 to 001	\$6,897.99 from 572-9521 to 001
\$ 7,652.87 from 536-9521 to 001	\$ 964.00 from 510-9521 to 001
\$ 13,388.31 from 599-9121 to 001	\$ 45.97 from 561-9521 to 001

The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook
Nays: None
Motion Carried

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SUPERINTENDENT'S ITEMS

167-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the staff handbook for the 2021/22 school year. The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook
Nays: None
Motion Carried

PERSONNEL

168-21 It was moved by Mrs. Slagle, seconded by Mr. Chapman to accept the following resignations for the 2021/22 school year:

Tracy Boles – Educational Aide
Nathan Ortlieb – Social Worker

The voting was as follows:

Yeas: Mrs. Slagle, Mr. Chapman, Mrs. Carbary, Mr. Cook
Nays: None
Motion Carried

169-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the following non-certified personnel for the 2021/22 school year pending proper licensure and successful background checks:

Jessica Sachs – Educational Aide - \$22,380 (Annual)
Angela Garrison – Educational Aide \$15.29 per hour
Laynei Ewen – Educational Aide - \$15.29 per hour

The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook
Nays: None
Motion Carried

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170-21 It was moved by Mrs. Slagle, seconded by Mr. Chapman to approve the following salary change for the 2021/22 school year:

John Singleton – From annual salary of \$29,942 to \$20.14 per hour

The voting was as follows:

Yeas: Mrs. Slagle, Mr. Chapman, Mrs. Carbary, Mr. Cook

Nays: None

Motion Carried

171-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the following certified personnel for the 2021/22 school year pending proper licensure and successful background checks:

Caleb Young – Building Substitute - \$150 per day

The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

172-21 It was moved by Mrs. Carbary, seconded by Mr. Chapman to approve the following supplemental contracts for the 2021/22 school year pending proper licensure and successful background checks:

Peyton Ross – Var/Res Football Cheerleading - \$1,643.50

Professional Development Stipends of \$29.00 per hour – Renee Allen, Elizabeth Dugan, Ashley Garnett, Jeff Joslin, Leslie Lessig, Mary Lutkewitte, Maribeth Pennekamp, Sarah Specht, Devanie Walters

The voting was as follows:

Yeas: Mrs. Carbary, Mr. Chapman, Mrs. Slagle, Mr. Cook

Nays: None

Motion Carried

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173-21 It was moved by Mrs. Slagle, seconded by Mr. Chapman to approve the following pupil activity contracts for the 2021/22 school year pending proper licensure and successful background checks:

Dominick Goodman – Var. Asst. Football - \$4,109
Yannis Dailey – Var. Asst. Football - Volunteer
Kyle Kellum – Var. Asst. Football - Volunteer
Anthony Zeigler – JH Head Football - \$3,287
Lindsey Garrison – JV/Var. Asst. Volleyball - \$3,287
Jessica Ciavarella – Var/Res Football Cheerleading - \$1,643.50
Andy Stuckert – Weight Training - \$3,040

The voting was as follows:

Yeas: Mrs. Slagle, Mr. Chapman, Mrs. Carbary, Mr. Cook
Nays: None
Motion Carried

174-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the following non-certified administrator for the 2021/22 school year:

Nathan Ortlieb – Social Emotional Learning Coordinator - \$50,000

The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook
Nays: None
Motion Carried

175-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the following summer school personnel:

Chaundra Hornsby – Social Emotional Learning - \$29.00 per hour

The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook
Nays: None
Motion Carried

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176-21 It was moved by Mrs. Slagle, seconded by Mrs. Carbary to approve the following salary change for the 2021/22 school year:

Diane Greggo – Educational Aide – from \$24.39 per hour to \$35,714 annually

The voting was as follows:

Yeas: Mrs. Slagle, Mrs. Carbary, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

177-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the following salary change for the 2021/22 school year:

Jeff Joslin – Teacher – 11 years experience – MA +15 - \$68,007

The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

178-21 **RESOLUTION OF INTENT TO TERMINATE THE EMPLOYMENT OF ELLEN BIRCHWELL PURSUANT TO OHIO REVISED CODE 3319.30 AND 3319.36 AND ARTICLE XXXVII OF THE COLLECTIVE BARGAINING AGREEMENT**

WHEREAS, the Board of Education of the New Miami Local School District (“Board”) has received a recommendation to terminate the employment contract of Ellen Birchwell for reasons set forth herein, pursuant to Ohio Revised Code 3319.16 and Article XXXVII of the collective bargaining agreement between the Board and the New Miami Education Association; and

WHEREAS, Mrs. Birchwell is employed by the Board under a teaching contract; and

WHEREAS, Mrs. Birchwell as assigned to the position of foreign language teacher and held a five year professional high school license to teach Spanish that expired on June 30, 2021 that permitted her to serve in her assigned position; and

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WHEREAS, Mrs. Birchwell was required under Ohio law, the collective bargaining agreement, and her employment contract to secure appropriate licensure to her assigned position prior to the commencement of the 2021/2022 school year; and

WHEREAS, Mrs. Birchwell was aware of the need to maintain appropriate licensure, and admits that she procrastinated and failed to do so by the first workday of the 2021/2022 school year and has not as of the date of this resolution applied for or secured an appropriate license; and

WHEREAS, Mrs. Birchwell thus fails to hold the required license for her assigned position for the 2021/2022 school year and the Board is prohibited under Ohio law from allowing Mrs. Birchwell to serve in her foreign language teacher position or any other regular teaching position; and

WHEREAS, Mrs. Birchwell was afforded the opportunity to appear before the Superintendent and supervising administrators in multiple meetings to discuss her failure to timely secure appropriate licensure; and

WHEREAS, Mrs. Birchwell appeared with union representation during at least one of these meetings, and union representation was also engaged through other forms of communication including with the Board's legal counsel; and

WHEREAS, the Superintendent recommends that the Board terminate Mrs. Birchwell's employment contract pursuant to Ohio Revised Code 3319.16 and Article XXXVII of the collective bargaining agreement for the reasons set forth herein; and

WHEREAS, the Board believes that Mrs. Birchwell's failure to timely secure an appropriate credential constitutes "good and just cause" for the termination of her employment pursuant to Ohio Revised Code in accordance with the collective bargaining agreement. Moreover, the Board believes that her continued employment as a teacher is prohibited as a matter of law and that there is no discretion vested in the Board on this matter. The Board has received evidence which specifically supports and documents the reasons for the recommendation to terminate and Mrs. Birchwell has had an opportunity to respond to said evidence and allegations.

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THEREFORE, BE IT RESOLVED that Ellen Birchwell is hereby terminated as an employee of the Board pursuant to Ohio Revised Code 3319.16 and Article XXXVII of the collective bargaining agreement for "good and just cause" for the reasons set forth herein, including her failure to timely secure an appropriate licensure for her assigned position as required by Ohio law, the collective bargaining agreement, and her employment contract.

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to provide Mrs. Birchwell with written notice, signed by the Treasurer, of the Board of Education's intention to consider termination of her employment contract, pursuant to Ohio Revised Code 3319.16 and Article XXXVII of the collective bargaining agreement for good and just cause.

It is found and determined that all formal actions of this Board concerning to the adoption of this Resolution were adopted in an open meeting of this Board, and all deliberations of this Board and any of its committees that resulted in such formal actions were adopted in meetings open to the public, in compliance with all applicable requirements of the Ohio Revised Code.

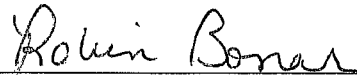
Mrs. Carbary moved and Mr. Chapman seconded the motion that the above Resolution be adopted.

Upon roll call and the adoption of the Resolution, the vote was as follows:

Yeas: Mrs. Carbary, Mr. Chapman, Mrs. Slagle, Mr. Cook

Nays: None

Adopted this 26th day of August, 2021.



Treasurer

August 26, 2021

GENERAL BUSINESS

179-21 It was moved by Mrs. Slagle, seconded by Mr. Chapman to approve the OAESA membership dues for Chris Huelsman in the amount of \$295 for the 2021/22 school year. The voting was as follows:

Yeas: Mrs. Slagle, Mr. Chapman, Mrs. Carbary, Mr. Cook

Nays: None

Motion Carried

180-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the contract with Lindamood Bell as presented for the 2021/22 school year. The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

181-21 It was moved by Mrs. Slagle, seconded by Mrs. Carbary to approve the contract with the Butler County ESC to provide an instructional coach for the 2021/22 school year as presented. The voting was as follows:

Yeas: Mrs. Slagle, Mrs. Carbary, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

182-21 It was moved by Mrs. Slagle, seconded by Mrs. Carbary to approve the contract with the Hamilton County ESC to provide gifted consultation and coaching for the 2021/22 school year as presented. The voting was as follows:

Yeas: Mrs. Slagle, Mrs. Carbary, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

183-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to approve the MOU with the Butler County ESC for Union Day instructional services for the 2021/22 school year as presented. The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

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188-21 It was moved by Mrs. Carbary, seconded by Mrs. Slagle to accept the following donations:

Hand sanitized and rubbing alcohol from Target valued at \$1,800
100 crochet children's scarves from Asia Werner valued at \$250

The voting was as follows:

Yeas: Mrs. Carbary, Mrs. Slagle, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

189-21 It was moved by Mr. Chapman, seconded by Mrs. Carbary to accept the resignation of Penny Gray as a member of the New Miami Board of Education effective immediately. The voting was as follows:

Yeas: Mr. Chapman, Mrs. Carbary, Mrs. Slagle, Mr. Cook

Nays: None

Motion Carried

ADJOURNMENT

190-21 It was moved by Mrs. Slagle, seconded by Mrs. Carbary to adjourn the regular meeting at 7:05 p.m. The voting was as follows:

Yeas: Mrs. Slagle, Mrs. Carbary, Mr. Chapman, Mr. Cook

Nays: None

Motion Carried

President

Treasurer (attest)