



11822
 Administration Building
 January 5, 2015

Minutes of the organizational meeting of the Board of Education of the Berea City School District held on Monday, January 5, 2015, 6:30 p.m. at the Administration Building, 390 Fair Street, Berea 44017.

Organization of the Board of Education

Fred Szabo was appointed President Pro-Tempore at the December 8, 2014 Board of Education meeting and will serve in that capacity for this portion of the meeting. **President Pro-Tempore**

Roll Call by President Pro-Tempore Fred Szabo **Roll Call**

Meeting called to order at 6:31 p.m. with the following members:

Present: Chapman , Postel, Szabo, Thurau, Tressel

President Pro-Tempore Fred Szabo called for the Pledge of Allegiance **Pledge of Allegiance**

Nominations for the office of President.

Thurau moved and Tressel seconded the recommendation that **NEAL POSTEL** be nominated for President of the Board of Education and that nominations close.

Roll Call: Ayes: Chapman, Szabo, Thurau, Tressel
 Nays: None Motion Carried

**Nomination/
 Election of
 President of
 BOE
 15-0105-5293**

I, **NEAL POSTEL**, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Ohio; and will perform faithfully the duties of the President of the Board of Education of the Berea City School District, Cuyahoga County, Ohio, during my continuance in office.

**Oath of Office
 for President of
 BOE**

Nominations for the office of Vice President

Szabo moved and Chapman seconded the recommendation that **DAVID TRESSEL** be nominated for vice President of the Board of Education and that nominations close.

Roll Call: Chapman, Postel, Szabo, Thurau
 Nays: None Motion Carried

**Nomination/
 Election of Vice
 President of BOE
 15-0105-5294**

I, **DAVID TRESSEL**, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Ohio; and will perform faithfully the duties of Vice President of the Board of Education of the Berea City School District, Cuyahoga County, Ohio, during my continuance in office.

**Oath of Office
 for Vice-
 President of BOE**

Thurau moved and Szabo seconded the recommendation to approve the resolution to establish Time, Place, Date, and Agenda Format of Regular Meetings in indicated below:

WHEREAS, Ohio Revised Code, Section 3313.15 requires that at the time of the organizational meeting each Board of Education fix the time for holding its regular meeting(s);

BE IT RESOLVED, the Board of Education will hold its regular meetings on the first and second Mondays each month in 2015 as shown below, with the exceptions noted:

**Resolution to
 Establish
 Regular
 Meetings
 15-0105-5295**

January 12	July 13 (second Monday)	Resolution to Establish Regular Meetings 15-0105-5295 (continued)
February 2	August 10 (second Monday)	
February 9	September 14 (second Monday)	
March 2	September 21 (third Monday)	
March 9	October 5	
April 6	October 12	
April 13	November 2	
May 4	November 9	
May 11	December 7	
June 8 (second Monday)	December 14	
June 28 25 (last Thursday of month)		

BE IT RESOLVED, that any changes in these regular meeting dates and the scheduling of special meetings will be made in advance and they will be published in the local newspaper;

AND BE IT FURTHER RESOLVED, that the meetings are held at 7:00 p.m. in Staff Room 1 of the Administration Building, 390 Fair Street, Berea, Ohio, unless otherwise designated in the pre-printed agenda and such agenda shall be in consent form as determined by the Board of Education.

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried

Szabo moved and Tressel seconded the recommendation to approve the Resolution to Purchase Bonds as shown below:

BE IT RESOLVED, that the Treasurer be authorized to purchase bonds for the President and Vice President of the Board of Education in the amount of \$50,000 each, and the Treasurer, Assistant Treasurer, Superintendent of Schools and Assistant Superintendent as required by provisions of H.B. 1285, in the amount of \$200,000.

Resolution to
Purchase
Bonds
15-0105-5296

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried.

Chapman moved and Thurau seconded the recommendation that the Board authorize the administration to initiate a renewal of the district's insurance specifically related to employee bonds and related liabilities.

Faithful
Performance
Bonds
15-0105-5297

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried.

Szabo moved and Thurau seconded the recommendation to approve the Resolution to Appoint an Official Representative to the Ohio School Boards Association President's Workshop as indicated below:

BE IT RESOLVED, that the Board of Education of the Berea City School District hereby appoints NEAL POSTEL as its official representative to the 2015 Ohio School Boards Association President's Workshop.

Resolution to
Appoint Rep
OSBA Workshop
15-0105-5298

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried.

Tressel moved and Chapman seconded the recommendation to approve the Resolution to Appoint a Board Member as Ohio School Boards Association Legislative Liaison as indicated below:

BE IT RESOLVED, that FRED SZABO be appointed to serve as legislative liaison, effective January 5, 2015.

Resolution to
Appoint OSBA
Liaison
15-0105-5299

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried

Chapman moved and Tressel seconded the recommendation to approve the Resolution to Appoint a Board Member to serve on the Polaris Board of Education beginning January, 2015 as indicated below:

BE IT RESOLVED, that FRED SZABO be appointed to serve as Polaris Board Member.

Resolution to
Appoint Board
Member to
Serve on
Polaris BOE
15-0105-5300

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried

It is recommended the Treasurer be authorized to enter into a contract with the following organizations:

- a. Ohio School Boards Association
- b. Ohio School Boards Association Legal Assistance Fund
- c. National School Boards Association
- d. National School Boards Association National Affiliate
- e. Ohio Schools Council
- f. Education Tax Policy Institute

Resolution to
Authorize
Membership
15-0105-5301

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried

Chapman moved and Szabo seconded the recommendation that the Berea Board of Education establish a Service Fund, as provided for under the provisions of House Bill 407, in the amount of \$20,000.

Service Fund
15-0105-5302

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried

Superintendent's Recommendations

Szabo moved and Thurau seconded the recommendation that items B1-B26 be approved as part of the consent agenda, unless a Board of Education member wishes to have an item removed.

Consent
Agenda
B1-B26
15-0105-5303

Roll Call: Ayes: Chapman, Postel, Szabo, Thurau, Tressel
Nays: None Motion Carried

WHEREAS; the Berea Board of Education desires to recognize outstanding service and/or in-service training as a benefit to this School District, and

WHEREAS; the Berea Board of Education feels it is necessary and desirable to maintain and to promote a positive public image of this School District, and

Resolution to
Authorize Non-
Salary
Remuneration
Recommended
B-2

WHEREAS; the Berea Board of Education believes that use of refreshments, meals, awards, and other amenities furthers its public purpose and function by giving recognition to those persons who make worthy contributions internally or who can promote a positive image externally, and

B-2
(continued)

WHEREAS; the Administration has reviewed Ohio Attorney General's Opinions #81-052 and #82-006, which speak to the permissive nature of such expenditures of public funds,

THEREFORE; BE IT RESOLVED that the Berea Board of Education authorizes the Superintendent to approve and the Treasurer to make such payments within the annual budget set by the Board.

It was recommended that the Board of Education grant admission; waive basic course fees, tuition, and the cost of Type A lunch for foreign exchange students for the 2015-2016 school year.

Resolution to Authorize Payment of Certain Goods and Services for Foreign Exchange Students
B-3

The Board of Education, upon the recommendation of the Superintendent of Schools, hereby determines and states its intention to participate in programs that provide support services for public schools for the 2015-2016 school year.

- a. Auxiliary Services
- b. Title I Funds
- c. Title IIA
- d. Title IID
- e. Title III
- f. IDEA-B
- g. ECSE, IDEA
- h. Early Childhood Education
- i. Race to the Top Fund

Resolution to Authorize Participation in State and Federal Programs
B-4

The Board of Education, upon the recommendation of the Superintendent of Schools, hereby determines and states its intention to participate in the County Service Agreement, City and Exempted Village School Districts, O.R.C. 3313.843 for the 2015-2016 school year.

Participation in City/County Program
B-5

Designations of Individuals to Serve as Coordinator or Compliance Officers for the Following:

- (a) The Berea Board of Education intends to provide equal educational and employment opportunities without regard to race, color, creed, national origin, or sex as per the Civil Rights Act of 1965 and Title IX of 1972 Educational Amendments. It is recommended that the Director of Personnel & Employee Relations, be designated as the District's Civil Rights Compliance Officer and Title IX Hearing Officer.

Designations of Individuals to Serve as Coordinator or Compliance Officers
B-6

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|---|----------------------------|
| <p>(b) The Board of Education, upon the recommendation of the Superintendent of Schools, hereby determines that no qualified handicapped individual in the United States, shall, solely by reason of his/her handicap, be excused from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. It is recommended that the Director of Pupil Services, be designated as the Section 504 Coordinator.</p> <p>(c) Pursuant to the requirements of the Americans with Disabilities Act, Public Law 101-236, it is recommended that the Director of Pupil Services, be designated as the coordinator of responsibilities related to this Act.</p> <p>(d) Pursuant to the requirements of the Asbestos Hazard Emergency Response Act, it is recommended that the Assistant Superintendent, be the Designated Person to coordinate the asbestos responsibilities related to this act.</p> <p>(e) Pursuant to state and federal laws, it is recommended that the Director of Pupil Services, be designated as liaison for homeless students.</p> <p>(f) Pursuant to the requirements of the Ohio Revised Code section 4115.03 to 4115.16, it is recommended that the Assistant Superintendent, be the designated person to serve as the Prevailing Wage Coordinator.</p> | <p>B-6
(continued)</p> |
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<p>The Board of Education designates the Director of Personnel & Employee Relations, and the Treasurer, as Public Records Officials and to attend training for HB9 – Public Records per Board of Education Policy 8310</p>	<p>HB9-Public Record Official B-7</p>
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<p>The Board of Education designates the Assistant Superintendent, as the law enforcement unit under FERPA (Family Educational Rights and Privacy Act for Elementary and Secondary Schools)</p>	<p>Law Enforcement Unit B-8</p>
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<p>BE IT RESOLVED, by the Board of Education of the Berea City School District, Cuyahoga County, Ohio as follows:</p> <p>Section 1: The firms of Squire, Sanders & Dempsey; Britton, Smith, Peters & Kalail Co., LPA; Walter & Haverfield; and Peck, Schaeffer & Williams; be and are hereby retained, such legal services to be in the nature of legal representation, including, but not limited to, appearances in court, advice, opinions, and/or all phases of labor negotiations, appearances before the State Employment Relations Board and recommendations that may from time to time be requested by this Board or the Superintendent concerning legal matters relating to education and the operation of the school district. In rendering such legal services, as an independent contractor and in an attorney-client relationship, said firms, Squire, Sanders & Dempsey; Britton, Smith, Peters & Kalail Co., LPA; and Peck, Schaeffer & Williams shall not exercise any administrative discretion on behalf of this Board in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or city or of this Board, or the execution of public trusts. Such services may be terminated at any time by the Board or the firms Squire, Sanders & Dempsey; Britton, Smith, Peters & Kalail Co., LPA; and Peck, Schaeffer & Williams by written notice to the other.</p>	<p>Resolution to Retain Legal Counsel B-9</p>
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Section 2: For such legal consultative services, the firms of Squire, Sanders & Dempsey; Britton, Smith, Peters & Kalail Co., LPA; and Peck, Schaeffer & Williams shall be paid reasonable fees as approved by the Board, and shall be reimbursed for actual out-of-pocket expenses (including, but not limited to, travel, long distance telephone expenses, and duplicating expenses) incurred in rendering such services, from time to time for such purpose.

B-9
(continued)

Section 3: All notices and proceedings relating to this meeting and the actions of the Board of Education have been in compliance with the provisions of Section 121.22 of the Ohio Revised

WHEREAS, the Cuyahoga County Auditor and Recorder may disclose instances in which real properties in the Berea City School District are undervalued for tax purposes for current and previous tax years as evidenced by the price for which they have been sold recently; and

Resolution to
Authorize
Representation
in Tax
Valuation
Cases
B-10

WHEREAS, complaints may be filed by various real property owners requesting a reduction in current and previous tax values for their properties;

THEREFORE BE IT RESOLVED, by the Board of Education of Berea City School District that Kadish, Hinkel & Weibel and Brindza, McIntyre & Seed LLP as counsel for this Board is hereby authorized and directed:

- a. to investigate the available relevant records and file with the Cuyahoga County Board of Revision complaints requesting increases in tax valuations in those instances in which real properties appear to be substantially undervalued on the current and previous real property tax duplicate;
- b. to appear as its counsel before the Board of Revision in opposition to claims for reduction of real property tax values for the current and previous years in such cases as in his opinion warrant opposition; and
- c. other related property matters.

It was recommended that the Berea Board of Education participate in the Ohio Schools Council Purchasing Program. This Board also agrees to pay the required fee

Cooperative
Purchasing
Agreements
2015-2016
B-11

BE IT RESOLVED, by the Board of Education of the Berea City School District, Cuyahoga County, Ohio as follows:

Section 1. That the Treasurer of the Berea City School District hereby requests authority in the name of the Berea City School District to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into for the purchase of supplies, services, equipment and certain materials pursuant to Revised Code Section 125.04.

Resolution
Authorizing
Political
Subdivision –
Cooperative
Purchasing
B-12

Section 2. That the Treasurer is hereby authorized to agree in the name of the Berea City School District to directly pay the vendor, under each such state contract in which it participates, for items it receives pursuant to the contract, and the Treasurer does hereby agree to pay the vendor directly.

It was recommended the Berea Board of Education participate as a member of the Ohio Minority Recruitment Consortium for the 2015-2016 school year. This Board also agrees to pay the required fee.

Ohio Minority
Recruitment
Consortium
B-13

It was recommended the Berea Board of Education enter into a contract with Cleveland Area Minority Recruitment Consortium for the 2015-2016 school year. This Board also agrees to pay the required fee.

Cleveland Area
Minority
Recruitment
Consortium
B-14

It was recommended that the Board of Education enter into an agreement(s) with the Educational Service Center of Cuyahoga County to provide programming and/or services, as listed below, to specific students for the 2015-2016 school year. The Berea City School District also agrees to pay the required fee for these services:

Educational
Service Center
of Cuyahoga
County
B-15

- a. Orientation & Mobility
 - b. Functional Low Vision Assessment
 - c. Visually Impaired Services
 - d. Rose-Mary Center School
 - e. Parmadale School (Parma City School District)
 - f. Hearing Impaired Services/Audiology Services
 - g. Positive Education Program (PEP)
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It was recommended the Berea Board of Education participate as a member of the Northcoast Council for the 2015-2016 school year. This Board also agrees to pay the required fee.

Northcoast
Council
B-16

It was recommended the Berea Board of Education participate as a member of SMART Consortium for the 2015-2016 school year. This Board also agrees to pay the required fee.

SMART
Consortium
B-17

It was recommended the Berea Board of Education participate as a member of WVIZ and WCPN Ideastream for the 2015-2016 school year. This Board also agrees to pay the required fee.

WVIZ and
WCPN
Ideastream
B-18

It was recommended the Berea Board of Education participate as a member of the Chambers of Commerce, as listed below, for the 2015-2016 school year. This Board also agrees to pay the required fee.

Chambers of
Commerce
B-19

- a. Berea Chamber of Commerce
 - b. Brook Park Chamber of Commerce
 - c. Middleburg Heights Chamber of Commerce
-

It was recommended the Berea Board of Education participate as a member of The Alliance for High Quality Education for the 2015-2016 school year. This Board also agrees to pay the required fee.

The Alliance for
High Quality
Education
B-20

A resolution authorizing the Berea City School District to participate in the Cuyahoga County State Support Team Region 3 Projects and Services for the 2015-2016 school year under the terms and conditions specified for use of Federal Grant Funds and other funds issued through the Individuals for Disabilities Education Act. It was understood that the Board of Education incurs no financial obligation for the activities to be carried out under the terms of this Project as a Participating Agency

Cuyahoga
County State
Support Team
Region 3
B-21

It was recommended the Berea Board of Education enter into a contract with NEOLA for developing and updating Board policies, administrative guidelines, and forms in printed or electronic format. This Board also agrees to pay the required fee.

NEOLA, Inc.
B-22

It was recommended the Board of Education enter into an agreement with the Cuyahoga County board of Developmental Disabilities for the 2015-2016 school year, to provide educational programming for eligible Berea city School District students

Cuyahoga
County Board
of
Developmental
Disabilities
B-23

Resolution Authorizing Membership in Ohio High School Athletic Association

WHEREAS; the Ohio High School Athletic Association Constitution, Article 3, Membership, contains the obligations which a school is required to follow to be a member, and

WHEREAS; Article 3, Section 1, Paragraph 3, the procedure for continuing membership, requires that the Board of Education adopts a resolution authorizing membership for schools under its jurisdiction, and

WHEREAS; schools eligible for membership are those schools that include one or more grades at the 7 through 12 grade level.

NOW THEREFORE, BE IT RESOLVED, that those Berea City District schools who meet the eligibility requirements for membership in the Ohio High School Athletic Association which include Berea-Midpark High School, and Middleburg Hts. Junior High School, agree to conduct their athletics in accordance with the Constitution, By-Laws, Regulations and Interpretations and decisions of the Ohio High School Athletic Association. This resolution shall be in effect for the 2015-2016 school year.

It is recommended that the sports listed below be recognized as official OHSAA sponsored sports in the Berea City School District for the 2015-2016 school year:

Boys: baseball, basketball, bowling, cross country, football, golf, soccer, swimming, tennis, track, wrestling, and indoor track.

Girls: basketball, bowling, cross country, soccer, fast pitch softball, swimming, tennis, track, volleyball, indoor track, golf and gymnastics

Physical Exams will be required for participation in interscholastic sports for all students for the 2015-2016 school year.

Physical Exams
Required for
Interscholastic
Sports
B-25

BE IT RESOLVED, that board members be appointed to serve a term on the following committees:

- a. Instructional Leadership Advisers Council ANA CHAPMAN
- b. Educational Community Foundation DAVID THURAU
- c. Business Advisory Council NEAL POSTEL
- d. Health Benefits Committee DAVID TRESSEL

Resolution to
Appoint Board
Member
B-26

Treasurer's Recommendations

Szabo moved and Thurau seconded the resolution to authorize the Treasurer to Conduct Business as indicated below:

4

WHEREAS, pursuant to provisions of O.R.C. 3313.31, the Treasurer is to perform all duties relating to monies. The Berea Board of Education hereby authorizes the Treasurer to perform the following duties:

Resolution to
Authorize
Treasurer to
Conduct
Business
C-1
15-0105-5304

- a. Borrow or secure an advance draft of money, pending receipt of funds from the Cuyahoga County Treasurer or from the State Treasurer.
- b. Invest the active, interim, and inactive funds of this school district in United States Government obligations and/or all investments permitted by law and to sell such investments when such funds are required to meet the operating requirements of this school district.
- c. Provide payments to employees for salaries and expenses, and to suppliers for goods and services, within the appropriations established by the Board of Education.
- d. Provide payments to contractors in the amount approved by the district and through the Superintendent of Schools or his designated representative.
- e. Use facsimile signatures.
- f. Perform such duties as are required or authorized by law

Roll Call: Ayes: Chapman, Szabo, Thurau, Tressel
Nays: None Motion Carried

Adjournment

Chapman moved and Szabo seconded the recommendation that the Organizational Meeting of the Board of Education be adjourned.

Adjournment
14-0105-5305

Roll Call: Ayes: Chapman, Szabo, Thurau, Tressel
Nays: None Motion Carried Time: 6:48 p.m.

Date of Approval: 2/9/15

APPROVED: 

ATTEST: 