



11640  
Administration Building  
Staff Room #1  
January 13, 2014

Minutes of the **Organizational Meeting** of the Board of Education of the Berea City School District scheduled for Monday, January 13, 2013, 6:30 p.m. in the Administration Building, Staff Room #1, 390 Fair Street, Berea, OH 44017 – rescheduled from January 6, 2014 due to inclement weather.

### Organization of the Board of Education

David Thureau was appointed President Pro-Tempore at the December 9, 2013 Board of Education Meeting and will serve in that capacity for this portion of the meeting.

President Pro-Tempore

I, **ANA CHAPMAN**, and I, **FREDERICK SZABO**, and I, **DAVID TRESSEL**, do solemnly swear that we will support the constitution of the United States and the constitution of the State of Ohio; and that we will faithfully and impartially discharge our duties as members of the Board of Education of the Berea City School District, Cuyahoga County, Ohio to the best of our ability in accordance with the laws now in effect and hereafter to be enacted, during our continuance in said office, and until our successors are elected and qualified.

Oath of Office  
for New  
Members

Roll Call by President Pro-Tempore David Thureau

Roll Call

Meeting called to order at 6:30 p.m. with the following members present:  
Ana Chapman, Neal Postel, Fred Szabo, David Tressel, David Thureau

President Pro-Tempore David Thureau called for the Pledge of Allegiance

Pledge of  
Allegiance

Nominations for the office of President are now in order.

**Nomination/  
Election of  
President of  
BOE  
14-0113-5036**

Szabo 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: Szabo, Tressel, Chapman, Postel, Thureau  
                     Nays: None. Motion Carried.

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Oath of Office  
for President of  
BOE

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.

Nomination/  
Election of Vice  
President of  
BOE  
14-0113-5037

Nominations for the office of Vice President are now in order.

Postel moved and Szabo seconded the recommendation that DAVID TRESSEL be nominated for Vice President of the Board of Education and that nominations close.

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

Oath of Office  
for Vice  
President of  
BOE

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.

Resolution to  
Establish  
Regular  
Meetings  
14-0113-5038

Szabo moved and Postel seconded the recommendation to approve the Resolution to establish Time, Place, Date, and Agenda Format of Regular Meetings as 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 2014 as shown below, with the exceptions noted:

January 13	July 14 (second Monday)
February 3	August 11 (second Monday)
February 10	September 8 (second Monday)
March 3	September 15 (third Monday)
March 10	October 6
April 7	October 13
April 14	November 3
May 5	November 10
May 12	December 1
June 9 (second Monday)	December 8
June 26 (last Thursday of month)	

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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;

**Resolution to  
Establish  
Regular  
Meetings  
14-0113-5038  
(continued)**

AND BE IT FURTHER RESOLVED, that the meetings are held at 7:00 p.m. in Staff Room #1 in 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: Szabo, Postel, Chapman, Thurau, Tressel  
Nays: None. Motion Carried.

Tressel moved and Szabo seconded the recommendation to approve the Resolution to Purchase Bond for Board President, Board Vice President, Treasurer, Assistant Treasurer, Superintendent of Schools, and Assistant Superintendent as indicated below:

**Resolution to  
Purchase Bonds  
14-0113-5039**

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.

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

Postel moved and Tressel 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  
14-0113-5040**

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

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

**Resolution to  
Appoint Rep  
OSBA Workshop  
14-0113-5041**

BE IT RESOLVED, that the Board of Education of the Berea City School District hereby appoints NEAL POSTEL as its official representative to the 2013 Ohio School Boards Association President's Workshop.

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

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**Resolution to  
Appoint OSBA  
Liaison  
14-0113-5042**

Postel moved and Tressel 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 6, 2014.

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

**Resolution to  
Appoint Board  
Member to  
Serve on Polaris  
BOE  
14-0113-5043**

Postel 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, 2014 as indicated below:

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

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

**Resolution to  
Authorize  
Membership  
14-0113-5044**

Szabo moved and Tressel seconded the recommendation that the Treasurer be authorized to enter into a contract with the following organizations:

- 1) Ohio School Boards Association
- 2) Ohio School Boards Association Legal Assistance Fund
- 3) National School Boards Association
- 4) National School Boards Association National Affiliate
- 5) Ohio Schools Council
- 6) Education Tax Policy Institute

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

**Service Fund  
14-0113-5045**

Szabo moved and Postel 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.

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

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Superintendent Recommendations

Szabo moved and Postel seconded the recommendation that items B1-B27 be approved as part of the Consent Agenda, unless a Board of Education member wished to have an item removed.

**Consent Agenda  
B1-B27  
14-0113-5046**

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

WHEREAS; it becomes necessary, on occasion, for the Superintendent to employ temporary personnel as needed in emergency situations, and  
WHEREAS; such employment is presented to the Board of Education for approval at its next regular meeting,  
THEREFORE; BE IT RESOLVED, by the Board of Education of the Berea City School District that the Superintendent of Schools be authorized to employ temporary personnel as needed in emergency situations.

**Resolution to  
Authorize  
Employment of  
Temporary  
Personnel  
B-1**

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  
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  
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.

**Resolution to  
Authorize Non-  
Salary  
Remuneration  
Recommended  
B-2**

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 2014-2015 school year.

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

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 programs that provide support services for public schools for the 2014-2015 school year.

- |                       |                              |
|-----------------------|------------------------------|
| 1) Auxiliary Services | 6) IDEA-B                    |
| 2) Title I Funds      | 7) ECSE, IDEA                |
| 3) Title IIA          | 8) Early Childhood Education |
| 4) Title IID          | 9) Race to the Top Fund      |
| 5) Title III          |                              |

Participation in City/County Program  
B-5

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 2014-2015 school year.

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

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.
- (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.
- (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.
- (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.
- (e) Pursuant to state and federal laws, it is recommended that the Director of Pupil Services, be designated as liaison for homeless students.

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**Designations of Individuals to Serve as Coordinator or Compliance Officers  
(continued)**

**B-6  
(continued)**

(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.

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.

**HB9 – Public  
Record Official  
B-7**

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).

**Law  
Enforcement  
Unit  
B-8**

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

**Resolution to  
Retain Legal  
Counsel  
B-9**

**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.

**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.

Resolution to Retain Legal Counsel  
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 Code.

Resolution to Authorize Representation in Tax Valuation Cases  
B-10

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  
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.

Cooperative Purchasing Agreements 2014-2015  
B-11

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

Resolution Authorizing Political Subdivision-Cooperative Purchasing  
B-12

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.

**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.



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It was recommended that the Berea Board of Education participate as a member of the Ohio Minority Recruitment Consortium for the 2014-2015 school year . This Board also agreed to pay the required fee.

Ohio Minority  
Recruitment  
Consortium  
**B-13**

It was recommended that the Berea Board of Education enter into a contract with Cleveland Area Minority Recruitment Consortium for the 2014-2015 school year. This Board also agreed 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 2014-2015 school year. The Berea City School District also agreed to pay the required fee for these services:

Educational  
Service Center of  
Cuyahoga  
County  
**B-15**

- 1) Orientation & Mobility
- 2) Functional Low Vision Assessment
- 3) Visually Impaired Services
- 4) Rose-Mary Center School
- 5) Parmadale School (Parma City School District)
- 6) Hearing Impaired Services/Audiology Services
- 7) Positive Education Program (PEP)

It was recommended that the Berea Board of Education participate as a member of the Northcoast Council for the 2014-2015 school year. This Board also agreed to pay the required fee.

Northcoast  
Council  
**B-16**

Greater Cleveland Educational Development Center

GCEDC  
**B-17**

It was recommended that the Berea Board of Education participate as a member of the Greater Cleveland Educational Development Center for the 2014-2015 school year. This Board also agreed to pay the required fee.

It was recommended that the Berea Board of Education participate as a member of the SMART Consortium for the 2014-2015 school year. This Board also agreed to pay the required fee.

SMART  
Consortium  
**B-18**

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**WVIZ & WCPN  
Ideastream  
B-19**

It was recommended that the Berea Board of Education participate as a member of WVIZ and WCPN Ideastream for the 2014-2015 school year. This Board also agreed to pay the required fee.

**Chambers of  
Commerce  
B-20**

It was recommended that the Berea Board of Education participate as a member of the Chambers of Commerce, as listed below, for the 2014-2015 school year. This Board also agreed to pay the required fee.

- 1) Berea Chamber of Commerce
- 2) Brook Park Chamber of Commerce
- 3) Middleburg Heights Chamber of Commerce

**The Alliance for  
High Quality  
Education  
B-21**

It was recommended that the Berea Board of Education participate as a member of The Alliance for High Quality Education for the 2014-2015 school year. This Board also agreed to pay the required fee.

**Cuyahoga  
County State  
Support Team  
Region 3  
B-22**

A resolution authorizing the Berea City School District to participate in the Cuyahoga County State Support Team Region 3 Projects and Services for the 2014-2015 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.

**NEOLA, Inc.  
B-23**

It was recommended that 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 agreed to pay the required fee.

**Cuyahoga  
County Board of  
Developmental  
Disabilities  
B-24**

It was recommended that the Board of Education enter into an agreement with the Cuyahoga County Board of Developmental Disabilities for the 2014-2015 school year, to provide educational programming for eligible Berea City School District students.

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**Resolution Authorizing Membership in Ohio High School Athletic Association**

**Resolution  
Authorizing  
Membership  
B-25**

**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 2014-2015 school year.**

**It was recommended that the sports listed below be recognized as official OHSAA sponsored sports in the Berea City School District for the 2014-2015 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  
Required for  
Interscholastic  
Sports  
B-26**

**Physical Exams will be required for participation in interscholastic sports for all students for the 2014-2015 school year.**

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

**Resolution to  
Appoint Board  
Member  
B-27**

- |    |                                  |                      |
|----|----------------------------------|----------------------|
| 1) | Curriculum Council               | <u>ANA CHAPMAN</u>   |
| 2) | Educational Community Foundation | <u>DAVID THURAU</u>  |
| 3) | Business Advisory Council        | <u>NEIL POSTEL</u>   |
| 4) | Health Benefits Committee        | <u>DAVID TRESSEL</u> |

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**Resolution to  
Authorize  
Treasurer to  
Conduct  
Business  
14-0113-5047**

Treasurer Recommendations

Tressel moved and Postel seconded the recommendation to approve the Resolution to Authorize the Treasurer to Conduct Business as indicated below:

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 authorized the Treasurer to perform the following duties:

- 1) Borrow or secure an advance draft of money, pending receipt of funds from the Cuyahoga County Treasurer or from the State Treasurer.
- 2) 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.
- 3) Provide payments to employees for salaries and expenses, and to suppliers for goods and services, within the appropriations established by the Board of Education.
- 4) Provide payments to contractors in the amount approved by the district and through the Superintendent of Schools or his designated representative.
- 5) Use facsimile signatures.
- 6) Perform such duties as are required or authorized by law.

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

**Adjournment  
14-0113-5048**

Szabo moved and Postel seconded the recommendation that the **Organizational Meeting** of the Board be adjourned.

Roll Call: Ayes: Szabo, Postel, Chapman, Thurau, Tressel  
Nays: None. Motion carried. Time: 6:45 p.m.

Date of Approval: 2-10-14

APPROVED: 

ATTEST: 

(This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in the agenda.)