Board of Education Organizational Meeting (Tuesday, January 13, 2026)
Generated by Kimberly Grilli on Thursday, January 15, 2026

Members present
LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

Meeting called to order at 6:30 PM

A. Opening Items

Procedural: 1. Call to Order

Procedural: 2. Pledge of Allegiance

Procedural: 3. Roll Call - All present

Procedural: 4. Administer the Oath of Office to the Newly Elected Board Members

B. Agenda Approval

Action 2026-5: 1. Adoption of Meeting Agenda
Move that the Board of Education approve the agenda.

Motion by John Kershner, second by Ashley Zimmer.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

Action 2026-6: 2. Move that the Board of Education approve a 5 min recess

Motion by LaToya Dowdell-Burger, second by Dionna Herbert.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

C. Election of Board of Education Officers

Action 2026-7: 1. Election of Groveport Madison Schools Board of Education Board President
Election of Board of Education President. - Mr. Kershner nominates Kathleen Walsh.

Motion by John Kershner, second by Ashley Zimmer.
Final Resolution: Motion Carries
Yes: Kathleen Walsh, John Kershner, Ashley Zimmer
No: LaToya Dowdell-Burger, Dionna Herbert

Action 2026-8: 2. Election of Groveport Madison Schools Board of Education Board Vice President
Election of Board Vice President - Mrs. Walsh nominates John Kershner

Motion by Kathleen Walsh, second by John Kershner.
Final Resolution: Motion Fails
Yes: Kathleen Walsh, John Kershner
No: LaToya Dowdell-Burger, Ashley Zimmer, Dionna Herbert

Action 2026-9: 3. Election of Board Vice President - Ms Herbert nominates herself

Motion by Dionna Herbert, second by LaToya Dowdell-Burger.
Final Resolution: Motion Fails
Yes: LaToya Dowdell-Burger, Dionna Herbert
No: Kathleen Walsh, John Kershner, Ashley Zimmer

Action 2026-10: 4. Election of Board Vice President - Mrs. Walsh nominates Ashley Zimmer

Motion by Kathleen Walsh, second by Ashley Zimmer.
Final Resolution: Motion Fails
Yes: Kathleen Walsh, Ashley Zimmer
No: LaToya Dowdell-Burger, John Kershner, Dionna Herbert

Action 2026-11: 5. Election of Board Vice President - Mrs. Walsh nominates John Kershner

Motion by Kathleen Walsh, second by John Kershner.
Final Resolution: Motion Fails
Yes: Kathleen Walsh, John Kershner
No: LaToya Dowdell-Burger, Ashley Zimmer, Dionna Herbert

Action 2026-12: 6. Election of Board Vice President - Mr. Kershner nominates Ashley Zimmer

Motion by John Kershner, second by Kathleen Walsh.
Final Resolution: Motion Fails
Yes: Kathleen Walsh, Ashley Zimmer
No: LaToya Dowdell-Burger, John Kershner, Dionna Herbert

Action 2026-13: 7. Move to take a five minute recess 7:04 pm

Motion by Kathleen Walsh, second by LaToya Dowdell-Burger.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, Ashley Zimmer, Dionna Herbert
No: John Kershner

Action 2026-14: 8. Election of Board Vice President - Mrs. Walsh nominates John Kershner

Motion by Kathleen Walsh, second by John Kershner.
Final Resolution: Motion Fails
Yes: Kathleen Walsh
No: LaToya Dowdell-Burger, John Kershner, Ashley Zimmer, Dionna Herbert

Action 2026-15: 9. Election of Board Vice President - Mr. Kershner nominates Dionna Herbert

Motion by John Kershner, second by Dionna Herbert.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, John Kershner, Dionna Herbert
No: Kathleen Walsh, Ashley Zimmer

D. Administer the Oath of Office

Procedural: 1. Administer the Oath of Office to the Newly Elected President

Procedural: 2. Administer the Oath of Office to the Newly Elected Vice President.

E. Board Items

Action: 1. Policy Review - Second Read
The Board recommends approval of Board Policy.
Motion by Kathleen Walsh, second by Ashley Zimmer.

Latoya - Who wrote the policies? There is a significant amount of changes. Where did the language come from?
Kathy - I wrote some of them. Mr. Kershner wrote some of them. These were reviewed by legal counsel and OSBA.
Latoya - I'd like to read what OSBA and legal counsel said about these policies and would like their emails included in the minutes, both OSBA and from Kegler. Questioning unintended consequences of those non approved OSBA policies because it would increase the exposure and liability of Groveport.
John - OSBA did approve, or someone did, I'd like to know who wrote policy that said "the board would speak with one voice" That is never a good idea. We are removing language about speaking with one voice. We do not speak with one voice and we debate. We can run this through further council and OSBA.

On motion of Kathleen Walsh, the motion to Policy Review – Second
Read was postponed until the next regular meeting by a majority vote.

Action 2026-16: 2. Ms. Dowdell-Burger moved to postpose these policies read until further legal counsel and OSBA guidance.

From Kenna Haycox:
Good afternoon,
Please review my comments below:

- The revisions to these policies you are considering are significantly different than our OSBA sample language, **you need to work with legal counsel to verify each policy prior to adoption**.
- A full review of your entire manual for any conflicts with these policies is also something you will need to work with legal counsel on. I have noted per policy you provided, some observations from the *policy* perspective. These notes are general from a policy perspective and are not legal advise and are not based on a full review of your entire manual (which is outside the scope of your current services contract).
- BBA: I recommend a close review of all the items with legal counsel to ensure alignment with law and other policies. Other policies to review include *but are not limited to*: all your policies on hiring, board-superintendent and board-treasurer relationships, all your "goals" policies (typically your 1st policy in each section of the manual), evaluation policies, consultants to the board, school board attorney and more.

- BBAA: Work with legal counsel on all the content here - our OSBA sample only includes what is left in as the 1st 2 paragraphs and the 1st paragraph you marked for removal. Once again, the additions here will impact other policies you will need to identify with legal counsel (i.e. school board attorney)
- BBF and BBF-E: work with legal counsel, - the BBF-E was voted on by the OSBA Delegate assembly and reflects the agreed upon language from the delegate assembly
- BBG: confirm all definitions with legal counsel. Also, each individual policy in your manual does not include definitions per policy so the last statement could be very problematic if there are conflicts between these definitions and the requirements behind a particular policy.

Thank you,
Kenna

From Steve Tugend:
Adam:

Our firm's analysis of the Board Policy revisions is below. Bottomline: Our team found nothing legally objectionable, but would like the District to consider retaining the OSBA to do a more detailed analysis of all similar provisions in their database and how those provisions may have been interpreted. This could be done prior to or following passage.

Happy to discuss.

Steve Tugend

From Adam Miller:
Good morning colleagues,

At the CFO's request, Kegler Brown attorneys have reviewed the draft GPM Board Policy revisions as requested for Draft Polices BBAA, BBA, BBF, BBF-E, and BBG, against the standards of state and federal legal sufficiency. Policy BBAA should include the citation of ORC 3313.35, County Prosecutor serving as legal counsel.

Kegler Brown education law attorneys have not identified anything in the proposed policies, **as currently drafted**, which violate state or federal law. As such, the Board Policy drafts ref. above are legally sufficient.

Notwithstanding our finding of legal sufficiency at this time, OSBA Policy Division Chief Kenna Haycox's cautionary words as to implementation are worth noting. As Ms. Haycox stated, any substantive changes from OSBA approved Board Policy template language, may be legally sufficient; but may also have an unintended consequence of increasing liability and exposure given the untested language's future use and interpretations.

It may be wise for the Board of Education to retain OSBA to fully vet each proposed/forecasted policy change against OSBA's 600+ member school district database and the OSBA fiscal, legal, and management services' divisions, prior to final board policy adoption. That would be an additional OSBA fee for service, but could pay high dividends going forward, especially in terms of liability coverage.

Feel free to contact me with any further questions.

Warm regards,
Adam Miller

John - OSBA and legal can not approve.

Motion by LaToya Dowdell-Burger, second by Ashley Zimmer.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Ashley Zimmer, Dionna Herbert
No: Kathleen Walsh, John Kershner

3. The Board recommends to amend policy - BBF and BBF-E "We will speak as one voice" will be removed.
John - Does not care about OSBA.

Ashley withdraws the motion.

4. Motion by Ashley Zimmer, second NONE.

The Board recommends OSBA and legal can not do approval and advice. NO VOTE NEEDED

Action 2026- 17:5. Motion by LaToya Dowdell-Burger, second by Dionna Herbert.

A motion for the Board to authorize the Superintendent and Treasurer to work with OSBA to conduct a detailed review of the proposed policy modifications, with a cost not to exceed $2,000.

Motion by LaToya Dowdell-Burger, second by Dionna Herbert.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, Ashley Zimmer, Dionna Herbert
No: John Kershner

Action 2026-18: 6. Motion to have the policies reviewed by Speech Law and the two law firms previously hired to defend two board members' First Amendment rights, with total costs not to exceed $15,000.Reminger was one firm and the 2nd is Freedman, Mathias, and Gary were the 2 firms.

Motion by John Kershner, second by Kathleen Walsh.
Final Resolution: Motion Carries
Yes: Kathleen Walsh, John Kershner, Ashley Zimmer
No: LaToya Dowdell-Burger, Dionna Herbert

F. Ethics Review

Discussion: 1. Discussion of Groveport Madison Local School District's Board of Education Code of Ethics/Code of Conduct for Groveport Board members (annual requirement)

- Presentation summary
- Attorney Steve Tugan provided a refresher on Ohio ethics laws applicable to board
- members, including: the 12-month "revolving door" restriction on lobbying/advocacy
- with the district after leaving office; the ongoing duty not to disclose confidential
- information; and conflict-of-interest limits involving public contracts connected to the
- member, immediate family, or business associates.
- He reviewed "things of value" rules (board members and their family members generally
- may not accept gifts from individuals/entities with district interests) and encouraged
- members to ask counsel when uncertain.
- He summarized Sunshine Laws:
- Public records include notes, emails, texts, and other fixed-medium records documenting
- district business; purely personal items are excluded. Drafts not "used" (e.g., unsent
- drafts) generally are not public records. Members should retain notes/records, and consult
- counsel before purging records.
- Open meetings: board deliberation and action must occur in properly noticed public
- meetings. Executive session should be on the agenda with the specific statutory
- purpose(s), requires a majority roll-call vote, discussion must stay within the stated
- purpose, and no formal action/votes may occur in executive session.
- Board questions/discussion
- A member asked for clarification of "business associate/business relationship"; Tugan
- indicated it generally involves an employment/ownership relationship with a shared
- beneficial interest and offered to provide a more precise definition afterward.
- Questions were asked about executive session:
- Whether executive session for discipline/personnel could include an elected
- official/board member; Tugan stated he did not believe the law prohibits discussing that
- in executive session, while noting limits on board authority over a board member's
- employment/pay.
- Whether discussing pay/pay increases in executive session is acceptable; Tugan said
- members may receive information and informally gauge views, including comparisons
- (e.g., spreadsheet scenarios), but may not take formal action or votes.
- Whether a member can be compelled to sign a document (e.g., NDA) in executive
- session; Tugan stated signing is generally an individual act, not a board action, and
- members cannot be compelled—board members may end executive session by majority
- and return to open meeting.
- Whether knowledge of a crime disclosed in executive session is confidential; Tugan
- emphasized mandatory reporting when student safety is at risk and warned failure to
- report can create legal exposure.
- Tugan cautioned members to avoid discussing board business when more than two
- members are together in a pre-arranged setting (to avoid an improperly noticed meeting)
- and warned against "round-robin" communications that effectively create a meeting
- outside public view.
- Close
- No further questions; board thanked the speaker and moved on.

G. Establish Meetings for 2026

Action: 1. Sample Board of Education Meeting Dates for 2026
Recommend that the Groveport Madison Schools Board of Education approve the attached meeting dates for calendar year 2026.
- 1st and 2nd Tuesday of each month at 6:00 pm.

Action 2026-19: 2. Motion by Kathleen Walsh, second by John Kershner.
The Board considered and voted on adopting the 2026 meeting calendar. Discussion focused on (1) holding two meetings per month to avoid excessively long meetings and reduce reliance on special meetings, and (2) selecting meeting times that balance board/staff workload with public

accessibility. Members raised scheduling conflicts (notably third Tuesdays due to recurring commitments; Wednesdays were also problematic for at least one member). The Board discussed using the first meeting for new business and the second for old business, with the intent to cancel the second meeting when not needed and to end meetings at a reasonable time, carrying unfinished items forward.
Action: After multiple motions and amendments on start time, the Board approved the calendar as two regular meetings per month on the 1st and 2nd Tuesday at 6:30 p.m. (amendment to 6:30 passed by roll call).

Motion to amend the meeting dates for calendar year 2026. 1st and 2nd Tuesday at 7 pm of each month.

Motion by LaToya Dowdell-Burger, second by Dionna Herbert.
Final Resolution: Motion Fails
Yes: LaToya Dowdell-Burger, Dionna Herbert
No: Kathleen Walsh, John Kershner, Ashley Zimmer

Action 2026-20: 3. Recommend that the Groveport Madison Schools Board of Education approve the meeting dates for calendar year 2026. 1st and 2nd Tuesday at 6:30 pm of each month

Motion by LaToya Dowdell-Burger, second by Ashley Zimmer.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, John Kershner, Ashley Zimmer, Dionna Herbert
No: Kathleen Walsh

H. Memberships

Action 2026-21: 1. Membership in the Ohio School Board Association
Renewing Groveport Madison Schools Board of Education membership in OSBA, including subscriptions to the Annual OSBA Briefcase (electronic issues only) and Annual School Management News (electronic issues only).

Motion by Kathleen Walsh, second by LaToya Dowdell-Burger.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

Action 2026-22: 2. Membership in Legal Assistance Fund
It is recommended that the Groveport Madison Schools Board of Education join the Ohio School Boards Association Legal Assistance Fund at a cost of $250. (Resolution language is below).

Motion by LaToya Dowdell-Burger, second by Ashley Zimmer.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

I. Resolution for Waiver of Reading Minutes

Action 2026-23: 1. Reading of Minutes
In accordance with Section 3313.26 O.R.C., waive the reading of minutes from previous meetings

Motion by John Kershner, second by LaToya Dowdell-Burger.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

J. Adopting Standing Authorizations

Action: 1. Adopting Standing Authorizations
To enable the Treasurer and Superintendent to carry out necessary duties involving operations, finances, and purchasing.
Motion by John Kershner, second by Ashley Zimmer.

The Board considered annual standing authorizations to enable the Treasurer and Superintendent to conduct routine operational, finance, and purchasing duties for calendar year 2026. Administration requested confirmation of the revised vs. prior version and explained late updates, including adding the Treasurer as an authorized check signer and updating investment statute references; the revised document was provided at members' desks and uploaded to BoardDocs.
During discussion, the Treasurer/Superintendent raised concern that the "routine contract execution" language appeared to limit authority to the business services director; the Board agreed to amend Item C1 to clarify that routine operational contracts may be executed by the Superintendent or Treasurer (or the licensed business services director). A brief recess was taken for technical issues, then the Board resumed and discussed a newly added Part Two (Governance limitations/controls), including questions about "no implied authority" language and its operational impact.
Action: By motion, the Board approved Part One (with the C1 clarification) and tabled Part Two to the next regular meeting for further review and proposed edits. Roll call vote: passed (5–0).

Action 2026-24: 2. Motion to take a five minute recess. 8:56 pm back at 9:05 pm

Motion by Kathleen Walsh, second by LaToya Dowdell-Burger.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

Action 2026-25: 3. The Board moves to postpone Part 2 until Feb. 3, 2026 Regular meeting and to review C1 to be sure this item allows Superintendent and Treasurer to sign contracts.

Motion by Kathleen Walsh, second by John Kershner.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

K. Annual Appointments

Action 2026-26: 1. Appoint Delegates to the Ohio School Boards Association Capital Conference
The Treasurer recommends that the Groveport Madison Schools Board of Education appoint a Delegate and Alternate for the Annual Business Meeting at the OSBA Capital Conference scheduled November 2026. The annual business meeting is usually held prior to the start of the conference.

Delegate/Alternate for OSBA Annual Business Meeting

- The Board discussed appointing a delegate and alternate so the district can receive OSBA
- communications and participate in the annual business meeting.
- Delegate nominations: Kathleen Walsh, Latoya Dowdell-Burger, and Dionna Herbert
- initially expressed interest; Latoya Dowdell-Burger and John Kershner stated they would
- like to serve as alternate.

Votes
1. OSBA Delegate – Latoya Dowdell-Burger: failed (Roll call: Walsh–No; Zimmer–No; Herbert–Yes; Dowdell-Burger–Yes; Kershner–No).
2. OSBA Delegate – Kathleen Walsh: passed (Roll call: Walsh–Yes; Zimmer–Yes; Herbert–No; Dowdell-Burger –No; Kershner–Yes).
3. OSBA Alternate – John Kershner: passed (Roll call: Walsh–Yes; Zimmer–Yes; Herbert–No; Dowdell-Burger –No; Kershner–Yes).
4. A subsequent motion regarding Latoya Dowdell-Burger as alternate was taken and failed after the alternate position had already been filled (Roll call recorded: Walsh–No; Zimmer–No; Herbert–Yes; Dowdell-Burger –Yes; Kershner–No).

Action 2026-27: 2. The Treasurer recommends that the Groveport Madison Schools Board of Education appoint a Delegate and Alternate for the Annual Business Meeting at the OSBA Capital Conference scheduled November 2026. The annual business meeting is usually held prior to the start of the conference.

Motion by Kathleen Walsh, second by John Kershner.
Final Resolution: Motion Carries
Yes: Kathleen Walsh, John Kershner, Ashley Zimmer
No: LaToya Dowdell-Burger, Dionna Herbert

Action 2026-28: 3. The Treasurer recommends that the Groveport Madison Schools Board of Education appoint a Delegate and Alternate for the Annual Business Meeting at the OSBA Capital Conference scheduled November 2026. The annual business meeting is usually held prior to the start of the conference.

John nominated himself for alternative

Motion by John Kershner, second by Kathleen Walsh.
Final Resolution: Motion Carries
Yes: Kathleen Walsh, John Kershner, Ashley Zimmer
No: LaToya Dowdell-Burger, Dionna Herbert

Action 2026-29: 4. The Treasurer recommends that the Groveport Madison Schools Board of Education appoint a Delegate and Alternate for the Annual Business Meeting at the OSBA Capital Conference scheduled November 2026. The annual business meeting is usually held prior to the start of the conference.

Ms. Dowdell-Burger nominates herself

Motion by LaToya Dowdell-Burger, second by Dionna Herbert.
Final Resolution: Motion Fails
Yes: LaToya Dowdell-Burger, Dionna Herbert
No: Kathleen Walsh, John Kershner, Ashley Zimmer

Action 2026-30: 5. Appoint Legislative Liaison and Student Achievement Liaison to OSBA for 2026
The Groveport Madison Schools Board of Education appoints the following Board members to serve as the Legislative Liaison and Student Achievement Liaison to the Ohio Schools Boards Association.

Legislative Liaison - Ms. Herbert nominates Latoya Dowdell-Burger

Motion by Dionna Herbert, second by LaToya Dowdell-Burger.
Final Resolution: Motion Fails
Yes: LaToya Dowdell-Burger, Dionna Herbert
No: Kathleen Walsh, John Kershner, Ashley Zimmer

Action 2026-31: 8. The Groveport Madison Schools Board of Education appoints the following Board members to serve as the Legislative Liaison and Student Achievement Liaison to the Ohio Schools Boards Association.

Legislative - Kathleen Walsh nominated herself

Motion by Kathleen Walsh, second by John Kershner.
Final Resolution: Motion Carries
Yes: Kathleen Walsh, John Kershner, Ashley Zimmer
No: LaToya Dowdell-Burger, Dionna Herbert

Action 2026-32: 9. The Groveport Madison Schools Board of Education appoints the following Board members to serve as the Legislative Liaison and Student Achievement Liaison to the Ohio Schools Boards Association.

Student Achievement - Mr. Kershner nominates Ashley Zimmer

Motion by John Kershner, second by Kathleen Walsh.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

Action 2026-33: 10. Appoint Legal Counsel Adding Speech Law LLC
A resolution authorizing the Superintendent, the Treasurer, and/or school officials as authorized by the Superintendent, to seek legal advice on matters affecting the day-to-day operations and labor negotiations of the school district.

Motion by Kathleen Walsh, second by Ashley Zimmer.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert

L. Adjournment

Action 2026-34: 1. Adjournment
Motion to Adjourn the Meeting at 9:28pm

Motion by Kathleen Walsh, second by Ashley Zimmer.
Final Resolution: Motion Carries
Yes: LaToya Dowdell-Burger, Kathleen Walsh, John Kershner, Ashley Zimmer, Dionna Herbert