

MINUTES
Ashland City School District Board of Education – Regular Session
August 26, 2013

The Ashland City School District Board of Education met for a Regular meeting on Monday, August 26, 2013 at the Ashland High Little Theatre, 1440 King Rd. Mr. Tom Lavinder, Board President, called the meeting to order at 8:00 p.m.

- I. **ROLL CALL** Mr. Rick Ewing, Mr. Bob Hill, Dr. James Wolfe, Mr. Bryan Lefelhoc and Mr. Tom Lavinder was present.
- II. **PLEDGE OF ALLEGIANCE** Pledge of Allegiance was led by Mr. Lavinder Board President.
- III. **APPROVAL OF AGENDA 2013-08-113** Mr. Hill made the motion, seconded by Mr. Ewing to approve the agenda with addendum items presented. – Motion carried 5-0.
- IV. **EXECUTIVE SESSION 2013-08-114** Mr. Hill made the motion, seconded by Dr. Wolfe to move to executive session. – Motion carried 5-0.

Whereas, as a public board of education may hold a executive session only after a majority of a quorum of this board determines by a roll call vote to hold such a session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

- A. To consider one or more, as applicable, of the checkmarked items with
 1. ___ Appointment.
 2. ___ Employment
 3. ___ Dismissal
 4. ___ Discipline
 5. ___ Promotion
 6. ___ Demotion
 7. ___ Compensation
 8. ___ Investigation of charges/complaints (unless public hearing requested).
- B. To consider the purchase of property for the public purposes or for the sale of property at competitive bidding.
- C. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.
- D.** Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.
- E. Matters required to be kept confidential by federal law or rules or state statutes.
- F. Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing or avoid prosecution for a violation of the law.

Now, therefore, be it resolved, that the Ashland City School Board of Education, by a majority of the quorum present at this meeting, does hereby declare its intention to hold an executive session on item(s) D as listed above.

The Board, Dr. Marrah, Mr. Knabe, Mr. Ross, and Mrs. Deppert entered executive session at 8:05 p.m.

Executive session concluded at 8:19 p.m.

IV. **SUPERINTENDENT'S REPORT**

- A. **Report Cards** – Dr. Marrah discussed the Local Report Card.

Dr. Marrah reviewed the progress of the district local report card.

He further complimented the success of the accomplishments reached with the report card.

Dr. Marrah complimented the custodial staff with the clean buildings for the beginning of the 2013-14 school year.

Dr. Marrah discussed the enrollment projections and complimented the smooth start for the 2013-14 school year. He further commented on the kindergarten academy with the enrollment of approximately 145 students participating.

Dr. Marrah, in response of a recent letter to the editor, made comments responding to a letter to the editor. He discussed the need to continue to monitor expenses with revenues, academic goals, and highlighted concerns from the review of OAPSE negotiations to attempt to answer questions.

V. RECOGNITION OF VISITORS AND PUBLIC PARTICIPATION ON AGENDA ITEMS

- Mr. Lavinder commented on the participation being held to 30 minutes with the priority being offered to residents and students first. He requested discussions to be professional, calm and non-repetitive.
- Kyla Burford – read a statement
- Mrs. Ruth Ann Deppen, guidance secretary at the High School, made comments to the Board of Education. Her comments directed to the Board of Education concerning the contract negotiations.
- Mrs. Mary Houser, Edison Elementary Secretary, and Becky Searl, Taft Elementary Secretary, made a statement to the Board of Education regarding the classified staff and daily duties. Mrs. Houser further made comments about caring for the students and her concerns with budget reductions, and the Board of Education's offer being unreasonable. She further commented on her concerns with the costs associated with the potential strike. She further expressed that her hopes would be to be treated fairly and equitably.
- Patty Snader, cook, made comments to the Board of Education, providing her background of advancement within the district, and her passion for the students of Ashland City Schools. She further expressed her pride of being an O.A.P.S.E. member.
- Mrs. Deborah Hazlett, bus driver, addressed the Board of Education with concerns of the contract being fair and equitable. She further expressed her concerns with comments she was receiving from parents. She also made the comment of the dedication and hard work from the O.A.P.S.E. association and her dedication to the local association.
- Mr. Bill Miller addressed the Board of Education with questions concerning the negotiations issues. He requested the Board of Education to consider listening to the negotiating team again to resolve the contract.
- Rick Martin expressed concerns addressed the Board of Education concerning the negotiations process.
- Mariely Dawson – resident, parent and teacher. Thanked people for being there for her children. She further requested the Board of Education to settle the contract with the support staff.
- Cathy Goetz – read a quote from the Dahli Lama.
- Mr. Bill Driscoll commented to the Board of Education expressing his support for the support staff of Ashland City Schools. He further made statements concerning salaries and benefits of the O.A.P.S.E. staff.

VI. **FINANCIAL/BUSINESS REPORT 2013-08-115** Dr. Wolfe made the motion, seconded by Mr. Lefelhoc to approve the Treasurer's Consent Calendar. – Motion carried 5-0.

A. Treasurer's Consent Calendar

Note: Items under the Treasurer's Consent Calendar are considered routine and will be enacted under one motion. There will be no separate discussion of these items prior to the time the Board votes unless a Board member requests an item be clarified or removed from the calendar for separate action.

The Treasurer recommends the following actions:

1. Financial Report
October Forecast
Approval of the Financial Report (July 2013) as presented.
2. Minutes
Approval of the minutes of the following Board meeting(s) as presented by the Treasurer:

Special Meeting/Work Session	July 9, 2013
Regular Meeting	July 22, 2013
3. Then and Now Certificate
Ohio Revised Code 5705.41 – Approve the authorization of a Then and Now Certificate as per Ohio Revised Code for purchase (purchase order 2140418) with Pebble & Waggoner, LTD. Issuance determines funds were THEN available at the time of the allowable expense and the amounts of purchase are necessary to meet the obligation (at the time of the order or contract) and is NOW lawfully appropriated and available for such purpose.
4. Items Removed for Separate Consideration

VII. **NEW BUSINESS 2013-08-116** Mr. Ewing made the motion seconded by Mr. Hill to approve the consent calendar. – Motion carried 4-1, Dr. Wolfe voted no.

A. Consent Calendar

Note: Items under the consent calendar are considered routine and will be enacted under one motion. There will be no separate discussion of these items prior to the time the Board votes unless a Board member requests an item be clarified or removed from the calendar for separate action.

The Superintendent recommends the following actions:

1. Certificated/Licensed Personnel
Approve the personnel and/or contract recommendations detailed in the exhibit items listed below as per the dates, terms and other applicable conditions specified and pending completion of all state, local and district requirements.
 - a. Retirements/Resignations (EXHIBIT A)
 - b. Certificated New Hires/One-Year Limited Contracts for 2013-2014 (EXHIBIT A)
 - c. Certified New Hires/One-Year Non-Renew Contracts for 2013-2014 (EXHIBIT A)

- d. Kindergarten Camp Teachers for Summer 2013 (EXHIBIT A)
- e. Substitute Teachers/Home Instructors for the 2013-2014 (EXHIBIT A)
- f. Supplemental Duty Contracts for 2013-2014 (EXHIBIT A)
- g. Supplemental Duty Resignations for 2013-2014 (EXHIBIT A)
- h. Contracted Services for 2013-2014 (EXHIBIT A)

2. Support Staff

Approve the personnel and/or contract recommendations detailed in the exhibit items listed below as per the dates, terms and other applicable conditions specified and pending completion of all state, local and district requirements.

- a. Classified New Hires for 2013-2014 (EXHIBIT B)
- b. Classified Transfers for 2013-2014 (EXHIBIT B)
- c. Classified Reassignments for 2013-2014 (EXHIBIT B)
- d. Classified Resignations/Retirements for 2013-2014 (EXHIBIT B)
- e. Classified Substitutes for 2013-2014 (EXHIBIT B)
- f. Special Duty Contracts for 2013-2014 (EXHIBIT B)
- g. Volunteers for 2013-2014 (EXHIBIT B)

3. Program/Other

- a. Approve an out-of state trip for AHS Concert Bands and Orchestra on April 10-12, 2014 (tentative dates) to Niagara Falls/Toronto, Canada.

4. Items Removed for Separate Consideration

- B. TCCSA Midland Council of Governments (EXHIBIT C) 2013-08-117** Mr. Lefelhoc made the motion, seconded by Mr. Ewing to approve all services contracted with TCCSA Midland Council of Governments for FY 2014. Motion carried 5-0.
- C. Food Service Agreement with Ashland County Community Academy 2013-08-118** Mr. Lefelhoc made the motion, seconded by Mr. Ewing to approve an agreement regarding food services and the Ashland County Community Academy for the 2013-2014 school year. (EXHIBIT D) - Motion carried 5-0.
- D. Resolution Approving Temperature & Energy Control Systems & Consulting to CCG Automation, Inc. 2013-08-119** Mr. Lavinder made the motion; seconded by Mr. Ewing to approve the sole-sourcing of temperature and energy systems and consulting to CCG Automation, Inc., on all master plan projects for classroom facilities assistance program (CFAP) segmentation improvements (EXHIBIT E). Motion carried 5-0.
- E. FY 2014 Elementary School Based Therapist Services 2013-08-120** Dr. Wolfe made the motion; seconded by Mr. Lefelhoc to approve and agreement with Appleseed Community Mental Health Center, Inc. to provide elementary school based therapist services for the 2013-2014 school year. (EXHIBIT F) Motion carried 5-0.
- F. V.I.P. Rehabilitation Services, LLC 2013-08-121** Dr. Wolfe made the motion; seconded by Mr. Ewing to approve an agreement with V.I.P

Rehabilitation Services, LLC, to provide services for the 2013-2014 school year to students who are Visually Impaired or Blind. (EXHIBIT G) Motion carried 5-0.

G. Tri-County Educational Services 2013-08-121A Mr. Lefelhoc made the motion, seconded by Mr. Ewing to approve entering into a contract with the Governing Board of the Tri-County Educational Service Center to provide general education services, special education services, and special education related services for the 2013-2014 school year. (EXHIBIT H) Motion carried 5-0.

H. Tri-County Educational Service Center 2013-08-121B Dr. Wolfe mad the motion, seconded by Mr. Hill to adopt a resolution to contract with the Tri-County Educational Service Center for special education supervisory services, and pre-school special education classes. Other services to provide may include, but not be limited to equipment, social services and staff development for the 2013-2014 school year. (EXHIBIT I)

I. Resolutions

2013-08-122 Mr. Hill made the motion; seconded by Mr. Lefelhoc to approve the Response to Notice of Intention to Strike Filed by OAPSE Local #233 (EXHIBIT J) Motion carried 5-0.

Mr. Ewing commented the resolutions were difficult, but due diligence to continue the operations of the school district. He further commented the resolutions are formality in the event of a strike.

Mr. Lavinder also commented most districts potentially facing a strike would follow the adoption of the resolutions.

Mr. Ewing commented that the Board is not outsourcing, but simply ensuring the operations of the school district are secured.

2013-08-123 Mr. Lefelhoc made the motion; seconded by Mr. Ewing to approve the Response to Notice of Intention to Strike filed by OAPSE Local #233 – Authorization to Hire Replacement Workers (EXHIBIT J)

2013-08-124 Dr. Wolfe made the motion; seconded by Mr. Lefelhoc to approve the Response to Notice of Intention to Strike filed by OAPSE Local #233 – Board Policy Modification (EXHIBIT J) Motion carried 5-0.

2013-08-125 Mr. Hill made the motion; seconded by Dr. Wolfe to approve the Response to Notice of Intention to Strike filed by OAPSE Local #233 – Authorize the Superintendent to Contract with Huffmaster Crisis Response, LLC (EXHIBIT J) Motion carried 5-0.

Mr. Lefelhoc asked Dr. Marrah how Huffmaster Crisis Response was notified. Dr. Marrah confirmed the recommendation being suggested by legal counsel. He further commented it wasn't what he wanted for the district, but what was necessary to prepare for a potential strike.

2013-08-126 Mr. Lefelhoc made the motion; seconded by Mr. Ewing to approve the Response to Notice of Intention to Strike filed by OAPSE Local #233 – Health Insurance Benefits during a Strike (EXHIBIT J) Motion carried 5-0

Mr. Ewing asked the timeframe for reinstating once an agreement is reached?

Attorney Rick Ross commented as soon as an agreement is reached, the strike would end immediately.

Mr. Lefelhoc asked if anything happened during the strike, would coverage be available after the employee returns to work? Dr. Wolfe confirmed it would be available. Dr. Marrah also commented on COBRA coverage.

VIII. DISCUSSION

Mr. Ewing commented on the difficulty of the passage of the resolutions; however, they were formality in the event of the strike. He further commented the district was not interested in outsourcing.

IX. BOARD REPORTS

- A. Academic Achievement Committee** - Nothing to report
- B. Policy Committee** – Nothing to report.
- C. Finance Committee** - Nothing to report
- D. Facilities Committee** - Mr. Ewing thanked staff and congratulated Mr. Shipper and the transportation for the 100% passage of the inspection.
- E. Legislative Report** – Nothing to report
- F. Health Care Committee** - Dr. Wolfe commented he was looking forward to working together.

X. COMMENTS/QUESTIONS

- A. Public** –
 - Mrs. Beth Snyder, cook at Edison, commented to the Board of Education, her feelings of being in-valued. She further asked the Board of Education to be reasonable and encouraged them to visit the buildings on a daily basis.
 - Jacqueline Enderby – asked the Board of Education to be reasonable and how much it was costing as opposed to settling?
 - Vanessa Ebert – complimented the secretarial staff at Edison. She further addressed her concerns with the limitations of the potential reductions, and her concern for the potential staff replacements.
 - Vonn Miller – addressed the Board of Education with her concerns and her value she places on her experience with students at Ashland City Schools. She further asked the Board of Education to take the opportunity of coming together as a Board of Education and O.A.P.S.E. to come together in agreement.
 - Audrey Huntington – librarian paraprofessional at Edison elementary, addressed the Board of Education with her passion for the students she works with and concerns of wanting to be at the school district. She further asked the Board of Education to come to a resolution.
 - Matt Lark – resident from Norwalk Ohio, commented on the status of the negotiations process and what he was hearing from Northern Ohio that the issues were being discussed to bust the union.
 - Kim Humrichouser – bus driver, addressed the Board of Education concerning the negotiations process. She further discussed her disappointment of the negotiations comments.
 - Barb Phillips – bus driver, addressed the Board of Education concerning the comments made during the meeting. She made closing comments requesting for closure and strive for a peaceful solution to negotiations process.
 - Valerie Carper – addressed the Board of Education with questions concerning the replacements if a potential strike may occur. Dr. Marrah assured her the substitutes will have a background check conducted.
 - Phil Murray made comments concerning the potential replacement substitutes.

- Vonn Miller – the Board of Education with whom the replacements would be employed from? Would the substitutes come from a listing? She further discussed her concerns for the medical fragile students. Dr. Marrah commented the substitutes would come from the current substitute listing.
- Mr. Lefelhoc commented on the need to have staff report the day after Labor Day, and how important they are.
- Clay Burford, spouse of a custodian, addressed the Board of Education concerning the substitutes. He expressed his concerns of substitute availability for the district.
- Steve Myers – O.A.P.S.E. regional director addressed the Board of Education with the projected costs of Huffmaster Inc. Dr. Marrah commented on the dependency of the need of services if a potential strike should occur. He further addressed the Board of Education to attempt to achieve to reach an agreement with O.A.P.S.E. and the Board of Education.

He further discussed the need to continue discussions and commented on the current negotiations process and requested the Board of Education to reach a potential agreement.

- Deb Hazlett, bus driver, addressed the Board of Education with her concerns for the background checks with substitutes. She further commented on potential expenses.

B. Board Members –

- Mr. Lefelhoc made final comments that the best last final offer was a fair offer. He further assured the audience that the Board of Education does care about the O.A.P.S.E. members. He also concluded he is committed to the community and the last best offer is fair and negotiations are a process. He further commented he hopes to see all O.A.P.S.E. members at work on Tuesday, September 3, 2013.
- Mr. Hill commented on the discussions made this evening were somewhat inaccurate. He discussed the attendance being an important factor with selection of positions. In addition, Mr. Hill communicated the importance of balancing the budget. He also reviewed listening to the comments this evening and a solution of the financial costs being reviewed during the evening discussions.
- Mr. Ewing commented that the issues presented weren't about the lack of caring for students and the level of difficulty the discussions were. He further discussed the realities of what is available; the Board is trying to provide simple, reasonable changes, to assist the district to move forward. He expressed his level of discomfort and also encouraged Mr. Myers to resolve the issues.
- Dr. Wolfe made final comments. He further communicated that he, as a Board Member, does appreciate the O.A.P.S.E. staff. He also commented the Board has offered the last, best, final offer, after 8 sessions of negotiations. The Board has never been clear on the final offer and the need. He discussed step increases and the promise to the tax payers that increases will be minimal. Dr. Wolfe discussed the overtime pay calculations being based upon hours worked. He also commented on O.A.P.S.E. members being paid during holiday breaks for not working. Dr. Wolfe commented on discipline forms being removed from files, and attendance should be merited as a factor for employment. He further discussed the Me Too clause being inappropriate for one member unit benefiting from another collective bargaining association. Dr. Wolfe discussed the vote to strike notice communicating that O.A.P.S.E. members were walking away from the students. He further expressed the interest to meet with the Federal Mediator and the comments that the Board of Education breaking the union is simply untrue. He requested the union to reconsider that the district will move forward with daily operations. He further expressed the urgency to O.A.P.S.E. to consider the Board of Educations' best final offer.

-Mr. Lavinder made closing comments concerning the potential strike issue. He discussed that he did not fault anyone for attending the meeting; rather, the issue is dealing with an imperfect system for negotiations with associations and a larger solution needs to be created as a utopian perspective.

- XI. **EXECUTIVE SESSION 2013-08-127** Dr. Wolfe made the motion, seconded by Mr. Hill to move to executive session. – Motion carried 5-0.

Whereas, as a public board of education may hold a executive session only after a majority of a quorum of this board determines by a roll call vote to hold such a session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

- A. To consider one or more, as applicable, of the checkmarked items with
 1. ___ Appointment.
 2. X Employment
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- B. To consider the purchase of property for the public purposes or for the sale of property at competitive bidding.
- C. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.
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- E. Matters required to be kept confidential by federal law or rules or state statutes.
- F. Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing or avoid prosecution for a violation of the law.

Now, therefore, be it resolved, that the Ashland City School Board of Education, by a majority of the quorum present at this meeting, does hereby declare its intention to hold an executive session on item(s) A2, B, D, E as listed above.

The Board, Dr. Marrah, Mr. Knabe, Mrs. Deppert, Linda Repko, OEA, Becky Mayer, and Dan Rueger entered executive session at 10:25 p.m.

Linda Repko, OEA, Becky Mayer, and Dan Rueger left executive session at 10:38 p.m.

Executive session concluded at 11:45 p.m.

- XII. **ADJOURNMENT 2013-08-128** Dr. Wolfe made the motion, seconded by Mr. Hill to conclude the August 26, 2013 regular session. – Motion carried 5-0.

Certificate Section 5705.412, Revised Code

It is hereby certified that the Ashland City School District Board of Education, Ashland County, Ohio, has sufficient funds to meet the contract agreement, obligation, payment or expenditure for the above, and has in effect for the remainder of the fiscal year and succeeding fiscal year the authorization to levy taxes which, when combined with the estimated revenue from all other sources available to the district at the time of certification, are sufficient to provide operating revenues necessary to enable the district to operate an adequate educational program on all days set forth in its adopted school

calendar for the current fiscal year and for a number of days in the succeeding fiscal year equal to the number of days instruction was or is scheduled for the current fiscal year.

8/26/2013

Treasurer

Superintendent of Schools

President, Board of Education

Tom Lavinder, President

Gina Deppert, Treasurer