

Marlington Local School District Board of Education (Thursday, August 19, 2021)

Generated by Patty A Main on Friday, August 20, 2021

A. Call TO ORDER

The Marlington Board of Education met in Regular Session on August 19, 2021 at 7:00 p.m. at the Marlington High School. At 7:00 p.m. Carolyn Gabric, Board President, called the meeting to order.

The Pledge of Allegiance was led by Carolyn Gabric
The Mission Statement was read by Carolyn Gabric

Those Present and answering the roll call were:

Carolyn Gabric
Josh Hagan
Karen Humphries
Scott Mason
Matthew Misch

Agenda

178-21

Josh Hagan moved to adopt the agenda for the August 19, 2021 meeting. The motion was seconded by Karen Humphries.

Carolyn Gabric yes
Josh Hagan yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Public Participation

Two speakers presented information to the Board of Education

NEW BUSINESS

Committee Change

179-21

Josh Hagan moved to approve a committee changes for Matthew Misch to replace Danielle Stevens on the Curriculum Committee and the Building & Grounds Committee. The motion was seconded by Matthew Misch.

Carolyn Gabric yes
Josh Hagan yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Levy Discussion

- Dr. Shreffler
 - A levy is needed
 - Decision needs board approved in January 2022
 - Suggests a work session before the January BOE meeting
- Board Discussion:
 - ESSER funds to assist General Fund
 - Option to split/give choice for type of levy; Not practical for Levy options
- Dr. Main
 - Submitted the ESSER application today
 - More information available at the board meeting in September

General Legal Services

180-21

Karen Humphries moved to approve the resolution marked exhibit A21 for a change to general legal services. The motion was seconded by Scott Mason.

Discuss:

- Board Discussion:
 - Clarification for resolution; previous resolutions and ORC referenced regarding counsel options; legal options previously approved for Superintendent to utilize; clarification for legal resources for ESC; amount of legal firms to

approve

- o Cost savings and availability of legal services; Stark County Prosecutor is free and provides legal advice.
- o Request for multi-year legal cost comparison; specialized firms used previously as needed; Difficult to compare legal costs and services due to changes in situations over time
- o Not currently receiving legal updates and services for Public Records Requests without ESC services
- Dr. Shreffler:
 - o Possible additional legal options include John Britton, Ennis Britton, and Pepple & Waggoner; some districts provide a list of possible legal firms for Board approval; asks board to trust in his decisions for legal representation
 - o Previously a resolution was passed to eliminate the ESC as a legal resource
 - o ESC counsel cost \$5,000, legal updates provided; assistance with Public Records Requests; Contract negotiations; cost savings
 - o Deb Dawson; not a school attorney; no previous experience representing school districts; represents DD and large entities

Carolyn Gabric yes
Josh Hagan yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

181-21

Karen Humphries moved to approve the resolution marked exhibit A22 for a change in general legal counsel. The motion was seconded by Scott Mason.

- Board Discussion
 - o Discussed transferring files and termination of services, ESC legal counsel and amount of power and precluding of previous counsel
 - o Transitional phase discussed; executive session with Mary Jo Slick at next meeting; knowledge and timing of resolution discussed
 - o Parliamentary procedure, Robert's rules and Attorney Van Keating of OSBA referenced on rescinding a motion; not to call roll because it is an improper motion and conflict of interest
 - o Karen Humphries instructed "may" call for roll; Karen Humphries requested Dr. Main to call the roll.

Carolyn Gabric Abstain
Josh Hagan No
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

DDA Student Handbook

182-21

Josh Hagan moved to approve the 2021-2022 DDA Handbook as presented below in exhibit "C21". The motion was seconded by Karen Humphries.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Transportation in Lieu Approvals

183-21

Karen Humphries moved to approve transportation requests as presented in accordance with ORC 3327.01 for the 2021-2022 school year. Reimbursement amount to be determined by the state:

Callie Pribula, St. Joseph
Derek Pribula, St. Thomas Aquinas
Brendan Pribula, St. Thomas Aquinas
Nevaha Earley, St. Thomas Aquinas
Paige Collins, Biomed Science Academy
Colton Rohr, Weaver Child Development
Calder Rohr, Weaver Child Development
Hope Baer, Biomed
Hailey Baer, Biomed
Kinsey Linder, Biomed
Addie Linder, Biomed
Liza Twizere, St. Joseph
Marie Twizere, St. Joseph

Jessica Twizere, St. Joseph
Gabriela Twizere, St. Joseph

The motion was seconded by Scott Mason.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Bus Routes 2021-2022 School Year 184-21

Matthew Misch moved to approve the bus routes for the 2021-2022 school year as listed below in exhibit "D21" The motion was seconded by Josh Hagan.

Discussion:

- Board Discussion:
 - Discussed seating arrangements; commitments from families for student bus riders; cost savings with commitments
 - Requested information around the longest length of time a student is transported by bus.
- Dr. Shreffler:
 - States the Superintendent has the options to change the bus routes; two students per seat; no bus routes can be eliminated this year; students eligible to choose transportation at anytime; commitments are not additional cost savings - per conversation with Ms. Sickles.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries Yes
Scott Mason Yes
Matthew Misch Yes

The motion passed

Carefree Education Service Contract 185-21

Josh Hagan moved to approve the contract with Carefree Educational Service Group LLC for \$39,650.00 to provide professional development for the Marlinton School District K-5 teachers during the 2021-2022 school year to address the COVID related learning loss with reading and math using Fund 507 (ESSER III), as outlined in exhibit "E21" The motion was seconded by Karen Humphries.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Cops in School Contract 186-21

Scott Mason moved to approve the following agreement, as outlined in exhibit "F21", to have Deputy Collins and Deputy Bogunovich as the Marlinton Local Resource Officers for the 2021-2022 school year. The motion was seconded by Karen Humphries.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Attorney Relocation 187-21

Matthew Misch moved to release documents pertaining to Marlinton Local School District from Lane ALton, Attorneys at Law to Park Street Law Group LLC due to the office relocation of Attorney Robert M. Morrow, as outlined in exhibit "G21" The motion was seconded by Josh Hagan.

Carolyn Gabric Yes

Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Foreign Exchange Student 188-21

Josh Hagan moved to approve the following foreign exchange student for the 2021-2022 school year:
Michela Cantarella (exhibit H21) and Lilou Philippe (exhibit I21).

The motion was seconded by Matthew Misch.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Board Meetings 189-21

Josh Hagan moved to amend the motion to have one regular board meeting on the third Thursday of the month during September, October, November, and December to include 6:30 p.m. The motion was seconded by Karen Humphries.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

190-21

Josh Hagan moved to have one regular board meeting on the third Thursday of the month during September, October, and December as amended at 6:30 p.m. The motion was seconded by Karen Humphries.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Critical Race Theory

- Board Discussion:
 - Mr. Hagan read a draft policy for adoption; Mr. Hagan read a policy and letter of Recommendation provided by Reggie Stoltzfus -- Representative for District 50
 - Request for any conflicting board policies; date proposed policy was referred to counsel; discussion of Federal Government's definition of a person's sex; possible presentation of proposed resolution to families for feedback; Dr. Shreffler's professional opinion requested on the proposed policy
 - gather more information to meet community expectations without challenging federal law or possible loss of federal funding; be mindful of the community; recommendation for Josh Hagan to contact legal counsel;
 - Revisit the proposed policy at our next board meeting
 - Board members encouraged to read the statement adopted by Minerva; Concerns expressed for Article "D" of the proposed policy and references to federal law -- either way is wrong in this case; not a simple XX or XY -- avoid defining something that can be used against the district.
 - Proposed policy focuses on promoting rather than preventing; Minerva's policy referred to Attorney General to test legality of policy; clarification on purpose of statement
- Dr. Shreffler:
 - Current legal counsel did not return communication; Contacted NEOLA; read response from NEOLA ; suggests consult with board counsel and consider a resolution/statement versus a policy;
 - The District Attorney office states the document presented violates Federal Law; references last line of statement.
 - Conflicts with board policy;
 - stated that an Ohio Department of Education resolution was provided to the board member; proposed policy presented to counsel last week; copy of proposed policy to Deb Dotson who advised against the policy
 - Concern for insurance coverage and possible costs to Marlinton (millions of dollars); suggests legal counsel decide
 - Proposed Policy conflicts with current policy; suggestion to develop a statement rather than a policy and allow legal counsel to review and give opinion;

COVID Procedures

191-21

Karen Humphries moved to amend the motion approve the following COVID procedures as outlined in exhibit "J21". The motion was seconded by Scott Mason.

Discussion:

- Board Discussion:
 - Board review each sections; mandates are not the responsibility of MLSD; should not use "recommend"; clarification of defy verses enforce; clarification on students not wearing masks and action to be taken (bus riders)
 - Cost to district (Federal Funding) for not following mandate; suggestion to send survey/waivers to community; suggests asking elementary parents mask preference -- age group not eligible for vaccinations; Parent choice goes both ways
 - Discussion of HB244 prohibiting mandatory vaccinations and discrimination regarding quarantine; students not required to mask; MLSD not the entity making mandates and suggest not promoting vaccinations not approved by the CDC;
 - Blanchard Schools lifted mast mandate at the end of last year with no legal action and returning this year with no mask mandate; Northwest Schools no mask requirement
-
- Dr. Shreffler:
 - The Stark County Health Department authorized to quarentine; District to follow the guidance?
- Dr. Shreffler:
 - States a duty to pass on all information to the Board members
 - Legal Counsel, Matt Markling, per a phone call between counsel and superintencdent on 8/12 at 1:53 p.m. insurance not covering defying mandates and Superintendent/Bus Drivers could lose their licensure or certifications.
 - Legal Counsel, Matt Marking, advised that MLSD should follow the mandate to avoid being liable; Zoom meeting with a group of Lawyers - there are no religious exemption from the mask mandate
 - Civil and Criminal charges are possible againt owner (Board of Education and the Superintendent) as well as the Operators (Bus Drivers); cautions board members to be careful stating that other districts are defying mandates and interpreting website information
 - Requests a copy of the changes to the document presented to be signed by the Board President or the treasurer; supports following protocol; will provide board decisions/changes to parents; bus riders are unable to move to others seats contributes to the reason for bus mandates for masking

Carolyn Gabric	Yes
Josh Hagan	No
Karen Humphries	yes
Scott Mason	yes
Matthew Misch	yes

The motion passed

192-21

Scott Mason moved to approve the following COVID procedures as amended and outlined in exhibit "J21" as amended.

Section 1: Learning Format (no changes)

Section 2: Masking Protocol - remove "taking into consideration the guidance from the" and "MLS will be" ; change recommending to "recommends"The

Section 3: Physical Distancing (no changes)

Section 4: Vaccinations - remove the first paragraph/statement; add "as well as COVID-19 tests" to the end of second paragraph/statement.

Section 5: Quarantine Protocol - Remove second paragraph/statement

Section 6: Maintaining Safe Environment (no changes)

Section 7: Who to Contact - remove "to a family member" in the third paragraph/statement.

Section 8: Building Visitors - remove "It is strongly recommended that all visitors wear masks in the buildings" from the first paragraph/statement.

The motion was seconded by Matthew Misch.

Carolyn Gabric	Yes
Josh Hagan	No
Karen Humphries	yes
Scott Mason	yes
Matthew Misch	yes

The motion passed

TREASURER'S AGENDA

Minutes

193-21

Josh Hagan moved to approve the meeting minutes for the July 29, 2021 - Special meeting. The motion seconded by Matthew Misch.

Discussion:

Mrs. Gabric asks that comments be summarized in future minute.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries No
Scott Mason yes
Matthew Misch yes

The motion passed

Financial Reports

194-21

Josh Hagan moved to approve the financial reports and overview of receipts and expenditures for the period ending July 31, 2021 as show in exhibits "K21, L21, M21". The motion was seconded by Matthew Mish.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason Abstain
Matthew Misch yes

Revenue and Appropriations Revision

195-21

Josh Hagan moved to approve the amended revenue and appropriations as presented in exhibits "N21 and O21". The motion was seconded by Karen Humphries.

Discussion:

- Dr. Main stated that the ESSER funds were the only changes to the revenue and appropriations.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

STRS Resoution

196-21

Josh Hagan moved to approve the resolution to authorize the employer pickup of Employee contributions for the State Teacher's Retirement System as presented in exhibits "P21 and Q21". The motion was seconded by Karen Humphries.

Discussion:

- Board:
 - additional cost to the district and the comparison to the benefit for the previous assistant superintendent position.
- Dr. Main:
 - This resolution is needed to align the STRS payments to board approved contracts and benefits issued to staff members for the 2021-2022 school year
 - These result in additional costs; a comparison of cost savings for the new contracts verses the previous staff position was sent to the board members.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed

Captial Improvements and Permanent Improvmeent Fund

Discussion:

- Board:
 - discuss Nexus Permanent Improvement funds
- Dr. Main:
 - Attached are documents providing revenue and expenditures as well as encumbered amounts for the 070 Capital Improvements Fund' suggest waiting until elementary project is closer to completion to make an additional lease payment;
 - Additional information can be provided regarding Nexus revenue from second half of taxes at the next board meeting.

- o Our resolution provides for movement of funds from the 001 General Fund to the 070 fund for capital improvements. The Nexus tax revenue in 003 - Permanent Improvement Funds are not moved to O70.

Audit

Discussion:

- Dr. Main:
 - o The Auditor of the State of Ohio completed the audit for the year ended June 30, 2020. The Auditor's opinion is that the financial statements were presented fairly and significant changes were needed.
 - o Page 83 of the Audit presents a summary of the Auditor's report. The financial stated opinion is "unmodified". The chart stated no material weaknesses in internal controls as well as financial statements.
 - o The Audit Report is available online.
 - o Thanks the staff in the Treasurer's department for their hard work preparing the documents for the audit as well as their hard work throughout the year.

**PERSONNEL
Sub Rate Pay
197-21**

Josh Hagan moves to approve the following substitute rate of pay:
 Certified \$85.00 per day
 Bus Driver \$14.00 per hour
 Custodians \$10.50 per hour

The motion was seconded by Matthew Misch.

Discussion:

- Board:
 - o Discussion if Marlington has Permanent Bus Substitutes; noted that it permanent bus substitutes were discussed during past board meetings.
- Dr. Shreffler:
 - o Will look for people willing to be Permanent Bus Substitutes.

Carolyn Gabric	Yes
Josh Hagan	Yes
Karen Humphries	yes
Scott Mason	yes
Matthew Misch	yes

The motion passed

**Classified Retirements, Certified Retirements, Classified Retirements, and Supplemental Resignations
198-21**

Josh Hagan moved to approve the following as presented in exhibit U21, V21, W21, X21, Y21 and Z21. The motion was seconded by Karen Humphries

- Classified Retirement
 - Joyce Senn (effective August 31, 2021)
- Certified Resignations
 - Jesse Groff (effective 8/13/21). Exhibit "V21"
- Classified Resignations
 - Denise Welch (effective 8/11/21) , Bert Joseph (effective 8/9/21) and Emily Winter (effective 8/13/21)
- Supplemental Resignations
 - AJ Minister effective 8/12/21

Carolyn Gabric	Yes
Josh Hagan	Yes
Karen Humphries	yes
Scott Mason	yes
Matthew Misch	yes

The motion passed.

**Certified Staff Hires, Classified Staff Hires, Supplemental Staff Hires and Corrections, Permanent Sub Hires, and Tutor Hires
199-21**

Karen Humphries moved to approve the motion to hire the following staff.

Certified Staff Hires for the 2021-2022 school year pending verification of satisfactory credentials and BCI/ FBI checks as required: Denise Wright, High School CCP Science, step 10.

C

Classified hires for the 2021- 2022 school year verification of satisfactory credentials and BCI/ FBI checks as required: Kristin Kamerer "LaTampa", Bus Driver, step 10, exhibit "AA21" Victoria Navarra, Payroll Clerk/ Administrative Secretary, step 9, starting 8/12/21, exhibit "BB21" Lori Yost, Payroll, \$40 per hour up to 10 days. Richard Nelson, Custodian, step 3., exhibit "CC21" Margaret Collins, Athletic Secretary, step 5., exhibit "DD21" Christina Irwin, Cook, step 0.

Supplemental staff for the 2021-2022 school year verification of satisfactory credentials and BCI/ FBI checks as required. Positions will be paid according to the prior approved step schedule. Cody Jones, assistant coach football, middle school Jill Ryan, assistant coach girls soccer, high school Sarah Lane, assistant coach girls tennis, high school Joe Welker, volunteer cross country, high school Marlee Peck, assistant coach volleyball, high school Amy Kolhmann, assistant coach/ volunteer volleyball, high school Rachel Williams, assistant coach girls basketball, high school Joe Welker, volunteer girls basketball, middle school Tim Flaherty, assistant, spring strength and conditioning Bret Pendrgast, band director Thomas Gaskins, assistant band director, high school Allen Marshall, middle school assistant band director Melinda Marshall, auxiliary unit director, band Rolando Ramirez, manager/ announcer, band John Gregory, music, lexington Brenda Kulmala, music, marlboro Susan Cook, music, washington John Gregory (.33), band, lexington Susan Cook, band, washington Brenda Kulmala (.33), band, marlboro Breanne Schau, advisor class of 2025 Calle Knisley, advisor class of 2025 Michelle McElrath, advisor class of 2024 Becca Ryan, advisor class of 2024 Meredith Joyce, advisor class of 2023 Chris Kogut, advisor class of 2023 Amy Kohnmann, advisor class of 2022 Bethany Fetrow, advisor class of 2022 Stephanie McGuire, yearbook scenario Lynn Francis, student council advisor, high school Chris Locke (.5), national honor society Jeff Oyster (.5), national honor society Cathryne Kean, academic challenge, high school Jennifer Maley, academic challenge, middle school Rita Morrison, link crew, high school Nicholas Modney, Drama Dukes Justin Woods, head teacher lexington Shawn Dillon, head teacher washington Teresa Phillips, lead mentor Jennifer Maley, power of the pen, middle school Rita Morrison, SADD Amy Kohmann, Character Counts Mark Greco, gifted team/ math tournament Meredith Wilson, gifted team/ math tournament Larissa Valasek, gifted team/ math tournament Monica Street, gifted team/ math tournament Monica Street, gamer club, middle school Mike Collins (.5), gamer club, high school Melissa Bogunovich (.5), gamer club, high school Maggie Collins, ski club, high school Matthew Denny, robotics Tyler Kwasnicka, robotics Aubree Horning, STEAM club advisors Move Christopher Griener from half to full stipend, assistant football coach, high school.

Permanent subs for the 2021-2022 school year pending verification of satisfactory credentials and BCI/ FBI checks as required: Christy Beggs, Christine Morey, Maria Dipold, Carrie Lane and Jacob Rehfus.

Tutors for the 2021-2022 school year pending verification of satisfactory credentials and BCI/ FBI checks as required: (Returning) Amy Wittensoldner (title) Deborah Truax (title) Jordan Kirk (title) Laura Ray (title) Chelsea Miller (title) Jennifer Maley (title) Brenda Kulmala (.5) (tutor) (New) Joseph Welker (title) Courtney Halter (title) Alyssa Hattery (ESSER) Alexis Krese (title) Isaac Rufflin (title)

The Motion was seconded by Josh Hagan.

Carolyn Gabric	Yes
Josh Hagan	Yes
Karen Humphries	yes
Scott Mason	yes
Matthew Misch	yes

The motion passed.

Staff RIF Recalls 200-21

Josh Hagan moved to recall the following employees to fill the district openings for the 2021-2022 school year pending verification of satisfactory credentials and BCI/ FBI checks as required:

Bus Aides: 1. Colleen Kuntzman 2. Eunice Castellucci 3. Lisa Vincent Educational Assistant(s)/ (Teacher Assistants): 1. Joanna Middleton 2. Rhonda Keiser 3. Nicole Delmoro 4. Amanda Loar 5. Elaine Hawthorne 6. Stephanie Coblentz 7. Anne Keller 8. Laury Bergert

The motion was seconded by Matthew Misch.

Carolyn Gabric	Yes
Josh Hagan	Yes
Karen Humphries	yes
Scott Mason	yes
Matthew Misch	yes

The motion passed.

Summer Staff 2021 201-21

Josh Hagan moved to hire the following Summer Personnel: Jennifer Blake, Diane Mitchell, Margaret Wallace and Erick Cyders. The motion was seconded by Karen Humphries.

Carolyn Gabric	Yes
Josh Hagan	Yes
Karen Humphries	yes

Scott Mason yes
Matthew Misch yes

The motion passed.

Administrative Extended Summer Days

202-21

Josh Hagan moved to approve the following administrators extended summer days: Daniel Swisher (9 days) and Renee Kaley (16.5 days). The motion was seconded by Karen Humphries.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed.

Executive Session

203-21

Scott Mason moved for the Marlinton Local School District Board of Education ("Board") to recess into executive session pursuant to R.C. 121.22(G)(1) to consider the employment/evaluation of a public employee and R.C. 121.22(G)(5) consider matters required by federal law or regulations or state statutes to be kept confidential. All matters discussed in this executive session are designated to the public officials and employees as confidential pursuant to R.C. 102.03(B) because of the status of the proceedings and/or the circumstances under which the information will be received, and preserving its confidentiality is necessary to the proper conduct of government business. Following executive session, no action is expected. The motion was seconded by Josh Hagan.
Time In: 9:30 p.m. Time Out: 9:45 p.m.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed.

Next Board Meeting

The next Board of Education Meeting will be held September 16, 2021 at 6:30 p.m.

Adjournment: 9:50 p.m.

204-21

Karen Humphries moved to adjourn the meeting. The motion was seconded by Josh Hagan.

Carolyn Gabric Yes
Josh Hagan Yes
Karen Humphries yes
Scott Mason yes
Matthew Misch yes

The motion passed.

Meeting adjourned at 9:50 p.m.

Carolyn Gabric, Board President

Dr. Patty A. Main, Treasurer