

# CLEAR FORK VALLEY LOCAL BOARD OF EDUCATION

## REGULAR BOARD MEETING

November 9, 2017

Clear Fork High School Media Center

6:30 p.m.

### District Mission Statement:

**We care for our students by modeling our community's heritage and tradition of excellence to increase student achievement.**

The Regular Board Meeting of the Clear Fork Valley Local School board was called to order at 6:32 PM by Board President Mr. Jim DeSanto.

Roll call was taken and the following members were present: Mr. Jim DeSanto, Mr. Dan Freund, Mrs. Amy Weekley and Mr. Carl Gonzalez, Mr. Jim Klenk arrived at 6:34 due to a conflicting prior engagement.

2017-274 **Upon** Motion by Mr. Gonzalez and seconded by Mr. Freund, the Board approved the minutes of the Regular meeting of October 12, 2017 as presented.

<b>The vote was:</b>	<b>Mr. Gonzalez</b>	<b>Yes</b>	<b>Mrs. Weekley</b>	<b>Yes</b>
	<b>Mr. Freund</b>	<b>Yes</b>	<b>Mr. DeSanto</b>	<b>Yes</b>

Mr. Jim Klenk was recognized as arriving at 6:34.

### PRESENTATION

Mr. Tim Moon, superintendent form Adena Corporation spoke on behalf of Gilbane Construction Company regarding the progress on the Elementary Buildings Project. Mr. Moon explained that the Bellville School itself is making good progress and they plan on starting foundations there possibly by the end of next week which is considerably ahead of schedule a due a lot to Terra Valley helping to get the sanitary line rerouted around the building. Mr. Moon explained that Butler is also ahead of schedule, with all the foundations in and the foundation block up and out of the ground around the outside of the perimeter of the building. He also stated that in part of a few weather delays the schools are tracking good.

### TREASURER'S RECOMMENDATIONS

**Upon** Motion by Mrs. Weekley and seconded by Mr. Gonzalez, the Board:

2017-275 Approved the October Financial Report.

2017-276 Approved a premium moratorium for the January 2018 accrual payment for the Jefferson Health Plan.

2017-277 Approved the following transfers:

From Permanent Improvement Fund (003) to Maintenance Fund (034) in the amount of \$105,837 per OFCC agreement.

From the General Fund to the Athletic Fund (300/9500) in the amount of \$150,000.00 for partial payroll expenses for the months of July – October, 2017. Including this transfer, the year-to-date total transferred to athletics from the general fund for payroll expenses is \$150,000.

From the Capital Improvement Fund (070) to Bond Fund (002) in the amount of \$250,000 for debt repayment of Elementary Facility project construction bond.

From the General Fund (001) to Bond Fund (002) in the amount of \$270,000 for debt repayment of Elementary Facility project construction bond.

Mr. DeSanto asked Mr. Gonzales if he had any updates on what he had mentioned at the last board meeting with respect to a Finance Committee. Mr. Gonzalez said that he had met with both Ms. Wyckoff and Mr. Stevens and he is not going to have a committee necessarily but will have a meeting once a month a week before the board meeting to discuss financially where we are at and whether or not we are making headway on this, what is being done and to what extent.

<b>The vote was:</b>	<b>Mrs. Weekley</b>	<b>Yes</b>	<b>Mr. Freund</b>	<b>Yes</b>
	<b>Mr. Gonzalez</b>	<b>Yes</b>	<b>Mr. DeSanto</b>	<b>Yes</b>
	<b>Mr. Klenk</b>	<b>Yes</b>		

## **EXECUTIVE SESSION**

2017-278 **Upon** Motion by Mr. Gonzalez and seconded by Mr. Klenk, the Board entered into executive session to consider the dismissal of a public employee at 6:47 PM. The board invited Mrs. Wyckoff, Mr. Stevens and legal counsel Mrs. Karrie Kalail into executive session.

<b>The vote was:</b>	<b>Mr. Gonzalez</b>	<b>Yes</b>	<b>Mr. Freund</b>	<b>Yes</b>
	<b>Mr. Klenk</b>	<b>Yes</b>	<b>Mr. DeSanto</b>	<b>Yes</b>
	<b>Mrs. Weekley</b>	<b>Yes</b>		

2017-279 **Upon Motion** by Mr. Gonzalez and seconded by Mrs. Weekley, the Board adjourned from Regular Session at 8:46 PM.

<b>The vote was:</b>	<b>Mr. Gonzalez</b>	<b>Yes</b>	<b>Mr. Freund</b>	<b>Yes</b>
	<b>Mrs. Weekley</b>	<b>Yes</b>	<b>Mr. DeSanto</b>	<b>Yes</b>
	<b>Mr. Klenk</b>	<b>Yes</b>		

## SUPERINTENDENT'S RECOMMENDATIONS

2017-280

**Upon Motion** by Mr. Gonzalez and seconded by Mr. Klenk, the Board tabled the following resolution:

WHEREAS, Thomas Tingley is currently employed by the Clear Fork Valley Local School District as a Mechanic pursuant to a continuing contract of employment; and

WHEREAS, Mr. Tingley, was, for the relevant period involved, also employed in a similar capacity by River Run Canoe Livery in Loudonville, Ohio.

WHEREAS, allegations have been made that Mr. Tingley made purchases from Truck Sales and Service in Mansfield for River Run using either the tax identification number of the Clear Fork Valley School District or particular District account information so that River Run could enjoy the District's governmental discount; and

WHEREAS, said concerns with respect to Mr. Tingley's conduct and performance have been thoroughly investigated by the Superintendent; and

WHEREAS, due to the nature of the allegations, the State Auditor's Office was notified and a further investigation was conducted; and

WHEREAS, the State confirmed that several purchases were made by Mr. Tingley on behalf of River Run from Truck Sales and Service in Mansfield using the District's tax identification number in an effort to provide a financial benefit to River Run; and

WHEREAS, the State Auditor's office notified the Richland County Prosecutor's office for further consideration of possible criminal charges; and

WHEREAS, as a result of these investigations, the Superintendent has recommended Mr. Tingley's employment with the District be terminated for a violation of his employment contract, a violation of his job description, a violation of Board policies, a violation of the

Clear Fork Valley Purchasing Manual, immoral, dishonest and unethical conduct, and neglect of duty; and

WHEREAS, the Superintendent provided Mr. Tingley with a full statement of the charges against him and the supporting

evidence as contained in the attached Specification for Termination; and

WHEREAS, on September 8, 2017, a pre-termination hearing was held and Mr. Tingley was given a full opportunity with representation to respond to the Specifications for Termination by rebutting same or otherwise explaining his actions; and

WHEREAS, during the pendency of these proceedings, on or about September 29, 2017, the Superintendent received notification from the Ohio Department of Transportation that Mr. Tingley's CDL license has become inactive due to his failure to obtain a T9 certificate, rendering him unable to drive a bus with students and, thus, unable to fulfill the complete duties of his position; and

WHEREAS, the Superintendent provided Mr. Tingley an opportunity to meet with her on October 3, 2017, to respond to the licensure issue; and

WHEREAS, following the September 8, 2017, and October 3, 2017, meetings, Mr. Tingley and his representatives were given the opportunity on two separate occasions to meet with the Superintendent in an effort to resolve these matters informally; and

WHEREAS, the efforts to resolve these matter were not successful and on October 30, 2017, Mr. Tingley was notified in writing by the Superintendent of her intent to continue to recommend the termination of his employment to this Board; and

WHEREAS, Mr. Tingley was provided an opportunity to address the Board of Education as to why it should not proceed with the termination of his employment; and

WHEREAS the Board of Education has considered the recommendation of the Superintendent to proceed with the termination of Mr. Tingley's employment as well as Mr. Tingley's statements.

NOW THEREFORE, be it resolved by the Board of Education of the Clear Fork Valley Local School District that the Board accepts the recommendation of the Superintendent to terminate the employment of Mr. Tingley.

BE IT FURTHER RESOLVED pursuant to and in accordance with the Specifications for Termination that are attached to this Resolution, the Board hereby terminates the

employment contract of Thomas Tingley effective immediately and finds that his actions involving the use of the District's account information to a private entity and his failure to maintain the necessary licensure to be a violation of his employment contract, a violation of his job description, a violation of Board policies, a violation of the Clear Fork Valley Purchasing Manual, and immoral, dishonest and unethical conduct, and neglect of duty as more fully set forth in the Specification for Termination attached to this Resolution.

BE IT FURTHER RESOLVED that the Treasurer shall furnish Mr. Tingley with written notice signed by the Treasurer of the Board's decision to terminate his employment contract. Said written notice shall include this Resolution, with the attached Specification for Termination.

BE IT FURTHER RESOLVED that it is hereby found and determined that all formal action of the Board of Education concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and any of its committees that resulted in such formal meetings open to the public, when required by law, were in full compliance with the law.

**The vote was: Mr. Gonzalez Yes Mr. Freund Yes  
Mr. Klenk Yes Mr. DeSanto Yes  
Mrs. Weekley Yes**

2017-281 **Upon** Motion by Mrs. Weekley and seconded by Mr. Freund, the Board approved the list of students as recommended by Mr. Brian Brown to be awarded graduate status December 21, 2017 provided all local and state requirements have been met for graduation. (See attached list)

Mr. Gonzalez spoke about the motion and said that he wished the list was smaller and the students would take more advantage of the College Credit Plus opportunities that are offered in the district. Mr. Brown replied that the students have chosen to be done with their High School education and some have chosen to attend college on their own without going through the school.

Mr. DeSanto said that he appreciates the efforts the administration takes to counsel these students. Mr. Brown said that if a student would take advantage of all the college credit classes that they have at Clear Fork a student can graduate with a year of college.

**The vote was: Mrs. Weekley Yes Mr. Gonzalez Yes  
Mr. Freund Yes Mr. DeSanto Yes  
Mr. Klenk Yes**

**Upon** Motion by Mr. Klenk and seconded by Mr. Freund, the Board:

2017-282 Approved Clear Fork High School Boys Basketball team trip to the Hoosier Gym Community Center in Knightstown Indiana for the purpose of scrimmaging Loudonville High School Boys basketball team on November 18, 2017.

2017-283 Approved the Gifted Identification and Service Plan for 2017-18.

**The vote was:** Mr. Klenk Yes Mr. Gonzalez Yes  
Mr. Freund Yes Mr. DeSanto Yes  
Mrs. Weekley Yes

2017-284 **Upon** Motion by Mrs. Weekley and seconded by Mr. Gonzalez, the Board approved the following Board Policy as discussed at the September 14, 2017 and the October 12, 2017 Board of Education meetings:

Revision:	EBBA	First Aid
	EBBA-R	First Aid
	GBQ	Criminal Records Check
	IGA	Basic Curricular Program
	IGCH	College Credit Plus
	IGCH-R	College Credit Plus
	IGDJ	Interscholastic Athletics
	JFG	Interrogations and Searches
	JFG-R	Interrogations and Searches
	LEC	College Credit Plus
	LEC-R	College Credit Plus

**The vote was:** Mrs. Weekley Yes Mr. Freund Yes  
Mr. Gonzalez Yes Mr. DeSanto Yes  
Mr. Klenk Yes

## **INFORMATION AND PROPOSALS**

The board discuss and set the Organizational and Regular Board Meeting for Thursday January 4, 2018 at 6:30 to be held in the High School Media Center.

2017-285 **Upon** nomination by Mr. Dan Freund, seconded by Mr. Carl Gonzalez the Board appointed Mrs. Amy Weekley President Pro Tempore for the Organizational Meeting

**The vote was:** Mr. Klenk Yes Mr. Gonzalez Yes  
Mr. Freund Yes Mrs. Weekley Abstain  
Mr. DeSanto Yes

## OTHER

2017-286

**Upon** Motion by Mr. Freund and seconded by Mr. Gonzalez, the Board adopted the following resolution:

WHEREAS, the increasing burden of state mandated regulations on Ohio's public schools has reached a critical point.

WHEREAS, many of these regulations waste valuable time and money that should spent on teaching and learning.

WHEREAS, we desire to work in collaboration with our appointed and elected officials to address the accumulation of problems being generated by these regulations.

WHEREAS, Senate Bill 216 (Ohio Public School Deregulation Act) has been introduced to addresses some of these problems by:

- eliminating barriers to employing high quality teachers,
- eliminating the unnecessary duplication of tests used to assess student learning,
- providing a more accurate method (paper test) of assessing a third-grade student's ability to read and write versus their technical ability on the high stakes third grade reading test,
- requiring the national testing service to provide meaningful information for teachers to use to help children learn and grow,
- restoring the rights of parents to have some control over their children's attendance,
- restoring the ability of school boards to enforce education policy that meets local community needs,
- consolidating and streamlining state reporting requirements to reduce time expended on unproductive paperwork, and
- providing relief from other mandates that have accumulated over time.

BE IT RESOLVED, that the Clear Fork Valley Local Schools Board of Education, being duly elected and acting as representatives of a legal and statutorily independent local board, supports Senate Bill 216 as a start to increasing efficiency and effectiveness in the state system of education.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all members of the Ohio Senate Education Committee.

Mr. Gonzalez said that he is concerned that at the legislative meeting at the OSBA Capital Conference on Monday this will come up and that the board should take a position on this issue so Clear Fork can make their voices known at the meeting and he is for it.

Mrs. Weekley said that she has read through it and that she is also for it. She said it takes away some of the outdated mandates and it gives more time for teachers, administrators and superintendents to do the job that they are hired to do. She stated that it is good for education.

Mr. Freund said that this is good for kids. Mr. Freund added that everything we are doing right now from a reform standpoint is for adults. This basically centers out process around children. This is the light at the end of the tunnel and we feels we need to be very active with this and push it hard.

Mr. DeSanto reflected that when he started on the board 4 years ago he heard a lot about local control and what he has learned is that somebody is really missing the boat. He stated that so much of the strings are pulled by ODE and the ways the laws are written it is farcical when high ranking state elected officials talk about local control. He stated that there is not the amount of local control that they lead you to believe so this Bill will receive his support as well.

**The vote was:** Mr. Freund Yes Mrs. Weekley Yes  
Mr. Gonzalez Yes Mr. DeSanto Yes  
Mr. Klenk Yes

2017-287 **Upon Motion** by Mr. Klenk and seconded by Mrs. Weekley, the Board adjourned from Regular Session at 9:05 PM.

**The vote was:** Mr. Klenk Yes Mr. Freund Yes  
Mrs. Weekley Yes Mr. DeSanto Yes  
Mr. Gonzalez Yes

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Jim DeSanto, Board President

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Bradd Stevens, Treasurer