

Regular

April 21, 2010

Mr. Rice called the April 21, 2010 regular meeting of the Eastern Local Board of Education to order at 6:30 p.m.

ROLL CALL: Mr. Eichinger, present; Mr. Hall, present; Mr. Rice, present; Mrs. Taylor, present.

43-2010 BOARD SECRETARY: Taylor moved to appoint Mrs. Terri Soulsby as acting board secretary for the April 21, 2010 meeting.  
Second by Hall.

VOTE: Eichinger, yes; Hall, yes; Rice, yes; Taylor, yes.

44-2010 AGENDA: Taylor moved to approve the ordering of the agenda.  
Second by Hall.

VOTE: Hall, yes; Rice, yes; Taylor, yes; Eichinger, yes.

45-2010 TREASURER'S REPORT BLANKET MOTION: Taylor moved to approve the following items:

MINUTES: Minutes of the March 17, 2010 regular meeting of the Eastern Local Board of Education.

FINANCIAL REPORTS: Financial reports for the month of March as submitted.

APPROPRIATIONS: The following changes to the permanent appropriations resolution and submit estimated revenue to the Meigs County Auditor:

Fund 200.9240	Class of 2010	\$ 6,743.25
Fund 300.9275	Athletic Fund	\$12,000.00

Second by Hall.

VOTE: Rice, yes; Taylor, yes; Eichinger, yes; Hall, yes.

LEGISLATIVE LIAISON: Mr. Eichinger reported on exploring tools for understanding Ohio Achievement Assessments and Ohio Graduation Tests available on ODE's website.

SUPERINTENDENT'S REPORT:

Mrs. Cris Kuhn presented information to the board regarding the growth of the music program from academic year 2001-2002 through 2009-2010. Unfortunately numbers do not support a marching band for the coming football season. Our concert band received an "Excellent" rating at district level competition. The hand bell choir performed in six community events during the holiday season. The high school choir will be staging a Variety Show May 11th. The middle school concert band students participated in Solo and Ensemble at OU in April. The middle school hand bell choir performed at

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the close of the elementary musical in December and the Middle School beginning band students participated in Band Olympics recently. The middle school spring concert will be May 4th. The high school concert band trip to Gatlinburg was cancelled due to economic concerns for the parents of the students. Mrs. Kuhn commented that the students were disappointed but were very mature about the decision and she was proud of them. The music boosters have been generous in their support this year providing almost \$10,000 in music and equipment to the program. Mrs. Kuhn presented information to the board on a Bose Wave wireless music system that she hopes to acquire for the program next year and also the need for acoustic band shells. She anticipates approaching the board for funding support.

Mr. Edwards commended Mrs. Kuhn on the outstanding job she does with our students. Mr. Rice commented on an excellent hand bell performance he had attended. Mr. Eichinger asked about the difference in the number of students participating in concert band vs. marching band. Mrs. Kuhn explained that concert band was a class period during the regular school day. Marching band was an extra curricular activity and because we have small enrollment numbers along with excellent athletics, we just didn't have enough students to participate. Mr. Eichinger asked that Mrs. Kuhn make any suggestions she feels appropriate on how the Board could help her build the marching band program.

Mrs. Heather Wolfe was joined by Mrs. Lauren Hardgrove from Meigs Local and Mr. Brian Ford from Alexander Local in presenting results of a Community Survey: Math Access and Equity at Eastern. Heather and her colleagues presented information about mathematics programming in the district through a community survey that was distributed as part of a graduate class assignment. The results of the survey indicate that the respondents believe that math skills of Eastern students are improving over time and that the students are supported by teachers and/or invention specialists. Areas receiving low respondent agreement were related to the benefit of having diverse student populations in classes and the use of technology in mathematics instruction.

Mrs. Howard, Elementary Principal, presented the following to the board of education: 1. A calendar of events for the month of April and May. 2. The display case in the lobby of the kindergarten class. Thanks to Shilo Little for preparing the case. 3. 43 students have registered for the kindergarten class of 2010-2011. 4. A \$5,000 grant will be used to improve the sound system; additional funds from the board would be greatly appreciated. 5. Mrs. Simmons' condition is improving. 6. Updated enrollment in the elementary of 383 students.

Mr. Bush, Middle School Principal presented a calendar of events for the month of April and May and updated enrollment in the middle school of 240 students.

Mr. Gheen, High School Principal, presented a calendar of events for the Month of April and May and updated enrollment in the high school of 253 students.

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Mr. Edwards, Superintendent presented the following: 1. Mrs. Wolfe will be giving a presentation on Family and Civic Engagement at the next board meeting 2. The current number of kindergarteners coming to registration is 44. 3. Information from STRS about re-employing retirees. The Board should consider their position on this issue as we have the possibility of two current staff members interested in this opportunity. 4. Mrs. Circle's letter of resignation due to retirement. She is retiring effective July 31, 2010 5. The Race to the Top MOU is the same as Phase 1 but the amount of money received from the state will be different. A floor has been established of \$25,000. We would be at this level. More information can be found on ODE's website.

### PUBLIC PARTICIPATION:

Mrs. Linda Smith, ELEA president spoke to the board regarding the extended days of service for the High School Guidance Counselor. She presented a comparison she had compiled of area districts and their current high school guidance set up. ELEA is working on updating a job description for the position. Mrs. Smith said that ELEA recognizes that the Board is made up of members elected to make decisions for the district. The arbitration response to the current situation put the responsibility on the Board to make a decision. ELEA recognizes saving money is an issue for everyone but feels there are other ways to save. They feel the decision of the Board will demonstrate to the community the importance of the position. She asked a question from ELEA related to why the district would want to provide only a minimum amount of time to such an important position such as high school guidance counselor.

Mr. Eichinger questioned the amount of time missed with students because of the proposed cut in time and asked if a list of duties and timeline could be compiled. Mrs. Taylor asked if salary information could be obtained and added to the comparison chart presented tonight. Mr. Edwards asked if the extended days listed were paid at a per diem rate or as a supplemental. Mrs. Smith indicated they would get back to the Board with answers. Mr. Hall wanted to clarify that our current position was set up as 10 extended days before the start of school to get ready and 10 extended days after the end of school to finish up. Mrs. Roush who was present at the meeting indicated that this was the current set up. Mr. Eichinger asked Mrs. Roush if she currently received any support from the high school secretary. Mrs. Roush said that Mrs. Pore only assisted in her absence.

### OLD BUSINESS:

Mr. Hall remarked on the importance of last month's decision to have background checks for the chaperones for the Senior trip and asked if the Board had any policy on background checks for all chaperones. Mr. Edwards referred to Ohio Revised Code which states anyone having "care and control of children" is required to have a background check. This is an area that we may have overlooked in the past, but Mr. Edwards agreed that this is important and that we will be keeping up on it in the future. Mr. Gheen added that Mr. Gerard had rushed the background checks for the senior trip chaperones and all were obtained before the trip.

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Mr. Eichinger asked if there was any update on the upstairs classroom in the elementary. Mrs. Howard said that they had received a call from ODE about a complaint that had been received by them. Mrs. Logan has been moved for the remainder of the school year. Another teacher has been displaced as a result. There is a possibility of an open room for next year, but that would only be a temporary fix because of class size. Mr. Eichinger questioned whether it was a letter or a call that had been received from ODE. Mrs. Howard confirmed that it was a courtesy call. Mr. Eichinger expressed his appreciation for the move being made.

46-2010 EXECUTIVE SESSION: Eichinger moved to adjourn into executive session for the consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee, official, or student.  
Second by Taylor.

VOTE: Taylor, yes; Eichinger, yes; Hall, yes; Rice, yes.

The board adjourned into executive session at 8:30 p.m. with the following attending: Board Members Taylor, Rice, Hall, Eichinger; and Mr. Edwards, Superintendent. The board reconvened into regular session at 9:20 p.m. with the following members in attendance: Taylor, Rice, Hall and Eichinger.

- 47-2010 PERSONNEL: Taylor moved to approve the following personnel items:
1. SUBSTITUTES-CERTIFIED: Certified substitutes for the 2010-2011 school year:  
Michael Baker, Robert Brooks, Christopher Carroll, Fred Connery, Cheryl Facemyer, Marjorie Fetty, John Flemming, Roberta Harbour, Melinda Hayman, Tiffany Kehl, John Krawsczyn, Richard Newell, Lucinda Parker, Amanda Reed, Edward Schaekel, Ryan Sleight, Ladona Stephens, Randy Wachter, Maxine Whitehead, Robin Witham.
  2. SUBSTITUTES-CLASSIFIED: Classified substitutes for the 2010-2011 school year:  
Joan Brown, Tamara Browning, Larry Cowdery, Linda Dunlap, Pamela Foreman, Anna Kimes, Judy Lee, Shilo Little, Robert Lute, Melissa Milliron, Joe Parker, Archie Rose, Gregory Satterfield, Connie Soulsby, Dawn Weddle.
  3. CONTRACTS-CERTIFIED-TWO YEAR: Two year contracts for the following teaching staff:  
Robin Baird, Robyn Hawk, Jennifer Hedges, Rebecca Otto.
  4. CONTRACTS-CERTIFIED-FIVE YEAR: Five year contracts for the following teaching staff:  
Linda Smith, Krista Johnson, Wanda Shuler, Christi Lisle, Nancy Wachter, Steve Jewell.
  5. CONTRACTS-CLASSIFIED-TWO YEAR: Two year contracts for the following classified staff:  
Shelly Caldwell and Tammy Riebel

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6. **CONTRACTS-CLASSIFIED-CONTINUING:** Continuing contracts for the following classified staff: Connie Osborne, Judy Bunger, Jennifer Seers.

7. **CONTRACTS-SUPPLEMENTAL:** Supplemental and pupil activity contracts for the 2010-11 school year as follows:

SUPPLEMENTAL CONTRACTS:

Howie Caldwell	Varsity Boys Basketball (2009-2010 retroactive to 11/1/09)
Brian Bowen	Weight Room Coord Winter 09-10 (retroactive to 12/1/09)
Debbie Barber	Eighth Grade Class Advisor (2010-2011 SY)
Carly Hayes	Junior High Student Council Advisor (2010-11 SY)
Melissa Barker	Elementary Yearbook Advisor (2010-11 SY)
Dick Tipton	Head Football Coach (2010 season)
Kristen Dettwiller	7 <sup>th</sup> and 8 <sup>th</sup> Grade Volleyball Coach
Jennifer Hedges	Freshman Class Advisor
Pam Douthitt	Athletic Director
Cris Kuhn	Choir/Hand bell Director
Cris Kuhn	Band Director

PUPIL ACTIVITY CONTRACT:

Jacob Warner	Volunteer Assistant Varsity Baseball Coach (2010 season)
John Burdette	Varsity Girls Basketball Coach
Randy Wachter	Varsity Golf Coach
Charles Weber	Assistant Varsity Golf Coach

8. **POSTING POSITION:** staff posting for position of Summer OGT Testing Coordinator with compensation of \$800.00.

9. **POSTING POSITION:** posting for position of Summer Grounds Keeper not to exceed 20 hours per pay period at a rate of \$10.00 per hour.

10. **ACCEPT RESIGNATION:** accept the resignation for retirement purpose of Mrs. Nancy Circle effective July 31, 2010.

Second by Hall.

VOTE: Eichinger, yes; Hall, yes; Rice, yes; Taylor, yes.

48-2010 **NON-RENEWAL OF CONTRACT:** Taylor moved to approve the non-renewal due to funding and necessity for the following classified staff:  
Betsy Martindale, Gwen Hall, Mary Beth Musser, and Paula Buckley

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Second by Eichinger.

VOTE: Eichinger, no; Hall, abstain; Rice, yes; Taylor, yes.

Mr. Eichinger commented he respected these individuals and the jobs they do. He does not agree with non-renewing the positions each year.

49-2010 GRADUATES: Eichinger moved to approve the list of potential graduates for the Eastern High School Class of 2010 as presented by Mr. Scot Gheen, High School Principal as follows:

Shawn Wayne Bailey, Mariah Lynn Hill-Barringer, Andrew Michael Benedum, Darcie Ann Bissell, Victoria Edith Boso, Jacob Dane Boston, James Nikolaous Levi Brannon, Andrea Marie Buckley, Breea Nicole Buckley, Judd Arthur Burke, Marcus Tyler Carroll, Lawrence Dakota Collins, Wade Edward Collins, Karissa Jean Connolly, Lauren Paige Cummings, Samantha Larie Cummins, Brandon Leon Davis, Robert Tiomo Russell Dorst, Erin Mabelle Dunn, Amanda Sue Durham, Travis Justin Edwards, Samuel Ray Evans, Matthew Clayton Friend, Kimberly Louise Hawthorne, Hannah Jean Hysell, Michael Sage Johnson, Craig Anthony Jones, Michael Dennis Jones, Chelsi Nicole Kearns, Ashley Rae Laudermilt, Joseph Richard Levacy, Jake Allen Lynch, Patricia Lynn McCloud, Casey Dean McKnight, Jeffery William Milhoan, Kimberly Marie Minear, Billy Jo Edward Moore, PhillipThomas Morehead, Haley LaDonna Perdas, Enoch Titus Pierce, Bryan Thomas Proffitt, Audrionna Renae Pullins, Whitney Marie Putman, Kelsey Richard, Cody Lance Ridgway, Joshua David Riffle, Samantha Hope Robinson, Amanda Michelle Roush, Chelse Elaine Roush, Jerry Samuel Rucker, Tyler Richard Sanders, Deeanna Rose Sebo, Alisa Maria Shamp, Stephanie Christine Shuler, Nathan Cole Smith, Tara Renee Smith, Scott Alan Trussell, Kasey Alexis Turley, Hannah Jayne West, Heather Michele White, Michael Scott Whitlock, Kelly Clark Winebrenner, Amanda Carol Wolfe, Jordan Keith Wood.

Second by Taylor.

VOTE: Hall, yes; Rice, yes, Taylor, yes; Eichinger, yes.

50-2010 CONTRACT APPROVAL: Taylor moved to approve a contract with Jefferson County Educational Service Center for access to the Virtual Learning Academy curriculum for the summer of 2010 and the 2010-11 school year.

Second by Hall.

VOTE: Rice, yes; Taylor, yes; Eichinger, yes; Hall, yes.

51-2010 BOARD POLICY UPDATES: Taylor moved to approve the following board policy updates as listed:

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Bylaw Replacement  
0167 - Voting  
Bylaw Revised  
0169.1 – Public Participation at Board Meeting

New Policies:

3122.02.02/4122.02 – Nondiscrimination Based on Genetic Information  
of the Employee

0143 – Family and Civic Engagement Team

Revised Policies:

2260.1 – Section 504 ADA Prohibition Against Discrimination Based on  
Disability

3430.01/4430.01 – FMLA Leave

4121 – Criminal History Record Check

6320 – Purchases

8210 – School Calendar

8462 – Student Abuse and Neglect

9141 – Business Advisory Council

Second by Hall.

VOTE: Taylor, yes; Eichinger, yes; Hall, yes; Rice, yes.

52-2010 RESOLUTION APPROVAL: Eichinger moved to approve the Genetic Information  
Nondiscrimination Act of 2008 (GINA) Resolution as follows:

**WHEREAS**, the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff e seq.,  
(GINA), signed into law on May 21, 2008, contains sections relating to health insurance coverage  
(Title I) and provisions in regard to employment (Title II); and

**WHEREAS**, Title I of GINA takes effect at the start of the health insurance “plan year” beginning  
one year after GINA’s enactment and Title II of GINA became effective November 1, 2009; and

**WHEREAS**, certain Board policies must be modified to reflect the implementation of GINA;

**NOW, THEREFORE, BE IT RESOLVED**, the Board modifies the following policies as set forth  
below:

**Policy 1460 – Physical Examination**  
**Policy 3160 – Physical Examination**

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**Policy 4160 – Physical Examination**

Employees will be notified of the results of the medical examination upon receipt. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act **and the Genetic Information Nondiscrimination Act.**

**Policy 3362 – Anti-Harassment**

**Policy 4362 – Anti-Harassment**

(Page 1, paragraph 2)

The Board will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, **genetic information**, or any other unlawful basis, and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify the problems.

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**DISABILITY HARASSMENT**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, of the like. **Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.**

**Policy 3419.01 – Privacy Protections of Self-funded Group Health Plans**

**Policy 4419.01 – Privacy Protections of Self-funded Group Health Plans.**

**OR**

**Policy 3419.02 – Privacy Protections of Fully Insured Health Plans**

**Policy 4419.02 – Privacy Protections of Fully Insured Health Plans**

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The Board Acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPPA) Privacy Rule, **as amended by Title I of the Genetic Information Nondiscrimination Act (GINA).**

**Policy 8310 – Public Records**

(Page 1, paragraph 2)

“Public records” do not include medical records, **documents containing genetic information**, trial preparation records, confidential law enforcement investigatory records, records the release of which is prohibited by State or Federal law, and any other exceptions set forth in R.C. 149.43.

The appropriate legal references:

**42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 29 C.F.R. Part 1635.**

Will be added at the end of the following policies (Technical Correction):

**Policy 1460 – Physical Examinations**

**Policy 3160 – Physical Examinations**

**Policy 4160 – Physical Examinations**

**Policy 3161 – Unrequested Leaves of Absence**

**Policy 4161 – Unrequested Leaves of Absence**

**Policy 3362 – Anti-Harassment**

**Policy 4362 – Anti-Harassment**

**Policy 3419.01 – Privacy Protections of Self-Funded Group Health Plans**

**Policy 4419.01 – Privacy Protections of Self-Funded Group Health Plans**

**OR**

**Policy 3419.02 – Privacy Protections of Fully Insured Health Plans**

**Policy 4419.02 – Privacy Protections of Fully Insured Health Plans**

**Policy 8310 – Public Records.**

Second by Taylor.

VOTE: Eichinger, yes; Hall, yes; Rice, yes; Taylor, yes.

53-2010 RACE TO THE TOP: Eichinger moved to approve a resolution of support by the board of education and the administration of the Eastern Local School District for submission of the Memorandum of Understanding to the Ohio Department of Education for the Race to the Top federal initiative. Second by Taylor.

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VOTE: Hall, yes; Rice, yes; Taylor, yes; Eichinger, yes.

54-2010 LAST DAY AND GRADUATION DATE: Eichinger moved to approve June 1, 2010 as the last day of school for students and staff for the 2009-2010 school year; and to approve setting graduation for the Class of 2010 as May 23, 2010 at 2:00 p.m. in the high school gymnasium.  
Second by Taylor.

VOTE: Rice, yes; Taylor, yes; Eichinger, yes; Hall, yes.

55-2010 SET MEETING TIME AND DATE: Taylor moved to set the regular meeting for Wednesday, May 19, 2010 in the Library Conference Room at 6:30 p.m.  
Second by Hall.

VOTE: Taylor, yes; Eichinger, yes; Hall, yes; Rice, yes.

56-2010 ADJOURNMENT: Hall moved to adjourn the meeting.  
Second by Eichinger.

VOTE: Hall, yes; Rice, yes; Taylor, yes; Eichinger, yes.

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President

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Treasurer