

NORTON BOARD OF EDUCATION – 07-10
Regular Meeting March 19, 2007

President Webel called the meeting to order at 7:30 p.m. in the High School Library and led the Pledge of Allegiance.

Those present:

Mrs. Cindy Webel, President
Mrs. Laura Leonti, Vice President
Mr. Scott Collins, Member
Mrs. Diane Farmer, Member
Mrs. Karen Wilson, Superintendent
Mrs. Mary Renick, Assistant Treasurer
ABSENT: Ms. Lisa Stemple, Member
Mrs. Stephanie Hagenbush, Treasurer

PUBLIC PARTICIPATION

Awards – Mr. Gerstenmaier, Principal presented the following vocational awards: Chris Csonka, Ben Sherwood, Josh Puchalsky and Ron Parker for Ohio Association of Skills USA. These students will be going to State Competition.

Mr. Gerstenmaier also presented a medal to Drew Leonard who placed 6th in the State Wrestling competition.

Eric Rymer read the following letter:

Dear Board of Education,

On February 12th members of the Norton 21 parent group came to you to discuss issues about students being placed into the program not being required to wear uniforms. They were told by the board that it was illegal to require uniforms in a public school. It was also indicated that discrepancies in class sizes could lead to union grievances. Both of these pieces of information have since been clearly shown to be incorrect.

On February 22nd, Karen Wilson the Superintendent of Norton City Schools had a meeting with Norton 21 Teachers. In this meeting she told the teachers that the board had a meeting the night before and decided that they were going to eliminate the uniforms for next year. The night before was a Wednesday night and no public meeting had been announced, nor do I see any minutes from this meeting on the agenda tonight.

On February 26th at the regular board meeting, Laura Leonti read a statement from the board on their position on the uniforms before the public participation of the Norton 21 parents.

On March 12th at the meeting of the whole, representatives of the Norton 21 parents were hoping to discuss this issue with the board. We were not allowed to have a discussion with the board and were told by the board that the board had previously discussed the uniform issues.

Since the issue was first raised on February 12th the board has not in public session had any discussions on the uniform issue. Since the board has issued statements and indicated that

discussions have taken place, one can only surmise that they discussions have been taking place in private, outside the public arena.

I am no lawyer, but I have read the state summary of the Ohio Sunshine Laws. The section which is entitled Open Meeting Act speaks directly to how a public body is to conduct its public business. This board, from all appearances, is not following these guidelines.

The following quotes come from 53-69 of http://www.ag.state.oh.us/legal/pubs/2005_sunshine_law_book.pdf, a summary of sunshine laws.

Similar to the Public Records Act, the Ohio Open Meetings Act is based on the principle that citizens must be able to observe the operations of their representative government. To that end, the Open Meetings Act is intended to require public bodies to take official action and to conduct deliberations upon official business in open meeting. (Pg 54)

These discussions concerning Norton 21 did not happen in a public meeting. That is very disturbing to me. What was discussed? What data was used to come to decisions? As a parent and teacher in this district, I do not know, because my publicly elected officials are not discussing these issues in public. That is disturbing on a number of levels. One may ask the question, could these discussions taking place in executive session of the board?

Based on the Opening Meeting Act there are only seven specific topics which can be discussed in Executive session and this particular issue does not appear to fall even remotely into any of them.

The Open Meeting Act states:

Standing alone, one-on-one conversations between individuals members, either in person or by telephone, do not violate the Open Meetings Act. 416 But a conference call between a majority of the members where public business is discussed is prohibited. 417 (pg 57)

The next paragraph

A public body must not however, circumvent the act by scheduling back-to-back discussions of public business which, taken together, are attended by a majority of the members. 418 Such "round robin" or "serial" meetings appear to violate the Open Meetings Act.419 (pg 58)

The members of this board should not be discussing issues in such a way, that they are able to come to consensus outside of the public arena, which by all indications is what has happened here. It is at least unethical, if not venturing into the area of being illegal.

The Open meeting act states:

D. RESPONSIBILITIES OF A PUBLIC BODY UNDER THE OPEN MEETINGS ACT

A. public body has the following three basic responsibilities under the Open Meetings Act:

1. Openness

Every public body must vote and take all official actions and hold all deliberations on official business in meetings that are open to the public.425 (pg 59)

Here is a summary of my concern. If decisions are made in private, that erodes the public trust! Parent groups are left with many statements and no clear view how any position of the board was arrived at. It opens the board to all kinds of questions. If this pattern continues it will lead us down the road once again of the community not trusting this board and administration. It is issues of trust which can cause levies to fail. With an association contract to be negotiated within the next year, these patterns of private discussion need to be left behind and public conversations need to take place so the public can have confidence in the reasoning behind the decisions of the board.

Danusia Casteel gave her time to Jeff Beach who read the following:

Parents request a verbiage addition to Norton 21 philosophy to solidify Standard Uniform Dress Code for the N21 School.

Main Issues seems to be class size:

1. Allow N21 to have its own open house to explain the school completely.
2. Send letter to all Kindergarten parents making them aware of the open house— at the expense of the N21 parent group.
3. Set the class size requirements in advance.
4. No need for a feeder Kindergarten.
5. Excess of class size then lottery will be performed to determine students.

There is no legal or state mandate preventing the Board from making the uniforms standard dress code for the Norton 21 program.

Ohio Revised Code Ann. 3313.665

“Boards of education may adopt school uniform or dress code policies under the following conditions:

1. That “ample opportunity for principal, staff and parents to offer suggestions and comments” has been provided;
2. That six months’ notice be given parents before a specific uniform is required;
3. That a plan for helping low-income parents obtain uniforms is part of the policy (such plan “may include using school district funds or funds from other sources); and
4. That on days when a nationally recognized youth organization (which authorizes its own uniforms) “has a scheduled function, “students participating in the organization be exempt from wearing their school uniforms.

Failure to approve this will likely lead to:

1. Difficulty filling the first grade class this year.
2. Placement of students in the program (lead to upset parents).
3. Removal of Uniforms (lead to upset parents).

Action at March Board Meeting

1. Please approve and pass the new verbiage to the Norton 21 school philosophy.
2. Provide a letter of confidence to the school district defining the way forward.

Laura Coughenour read the following:

I would like to read an excerpt from an email sent by Eric Rymer to the Board:

“It is time for the Board to act. I ask that the Board articulate to the parents and the community what they like about the program and what they do not. The Board needs to indicate what their plans for the program are in the future. If a clear message does not come from the Board, recruitment will continue to struggle and these issues will continue to plague our entire educational community. We hoped to address this issue without it escalating as it did with the Norton 21 sign and other issues in the past. Yet, with the decision of the Board to eliminate the uniforms, the parents have no choice but to press the issue. The Norton 21 community is passionate about its educational program. We will be starting to recruit for another first grade class in a short time. We need this Board to clarify its position to the community. Parents need to make a decision if the program is right for their child based on the merits of the program. Instead, many see a cloud of doubt that has been cast over the program by the Board and uncertainly does not allow them to investigate this option. I would hope that the board will see this letter coming from a parent who has a unique perspective on these issues. I sincerely thank you for your time and consideration.

Where is the big influx of students that has said to cause this while uniform issue as mentioned at the meeting of the whole in February? The elementary schools are down 4 students.

Also, in February, the board stated that they were lucky the teachers had not “grieved” the class room size differences with 21^{4th} grade, . . . why is this a 21 issue as you can see there was a differential of 10 between Cornerstone and Grills’ 1st grade class, the differential of 21 with Cornerstone/Primary was only of 8 at the beginning of the year. . . once again –the board led us to believe they were lucky –the reality is, it has not been grieved because IT IS UNGRIEVABLE and not part of the teachers contract.

We cannot legally place students into a uniformed school. Put it in writing, and you can . . . we only had to look to the Akron Public School system to see this being done.

When I asked the Superintendent on Tuesday, March 12, 2007 what do I tell my 21 parents at our parent group meeting tonight, I am told “STATUS QUO”. . . but she could not tell me if that meant uniformed/partial uniform/or not uniforms???

We have heard it is a Board decision . . . then no it’s a Superintendent’s decision. . maybe we should wait for the new superintendent. . . he said/she said/they said. Enough! Enough!

For this reason, I am asking this board and administration to set a date for a formal public discussion of our uniform issue. We deserve to know who is making the decision and how each member is voting.

I am also requesting the board put IN WRITING what and how it supports our school. The reason we are in this current position is because the uniforms were not in writing. Let’s learn from our mistakes and put in writing what you support in the N21 School so this does not happen again next year. I am requesting this as public record that we have answers by no later than the April board meeting. This has gone on too long.

Danusia Casteel said that she was disappointed in the Board members and their support of N21. The parents just want straight answers. She would like a public meeting with Board members, principal, teachers and parents to discuss the key points to continue to teach our students operating as N21 currently does.

Donna Longfellow wanted to know why the Board members want to cut a part of that program that is working. She would like the program to continue as it is now.

BOARD BUSINESS

Cindy Webel read a letter from Mrs. Maria Stewart, Academic Challenge Advisor, advising the Board that the Academic Challenge team is currently in 10th place in the State. Their competition will be aired on WEWS on May 12th.

MINUTES

07-57 *Mrs. Farmer* moved that the Board of Education approve the minutes of the Committee of the Whole meeting of February 12, 2007.

Mr. Collins seconded the motion.

ROLL CALL: AYES: Mr. Collins, Mrs. Farmer, Mrs. Leonti, Mrs. Webel

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

07-58 *Mrs. Leonti* moved that the Board of Education approve the minutes of the Regular meeting of February 26, 2007.

Mrs. Farmer seconded the motion.

Mrs. Leonti moved to withdraw the motion
Mrs. Farmer seconded the motion to withdraw the motion.

07-58 *Mr. Collins* moved that the Board of Education approve the minutes of the Committee of the Whole meeting of March 12, 2007.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: *Mrs. Leonti, Mrs. Webel, Mr. Collins, Mrs. Farmer*
NAYS: *None – Motion Carries – 4-0-1*
ABSENT: *Ms. Stemple*

07-59 *Mrs. Farmer* moved that the Board of Education approve the minutes of the Special meeting of March 13, 2007.

Mr. Collins seconded the motion.

ROLL CALL: AYES: *Mrs. Webel, Mr. Collins, Mrs. Farmer, Mrs. Leonti*
NAYS: *None – Motion Carries – 4-0-1*
ABSENT: *Ms. Stemple*

07-60 *Mrs. Leonti* moved that the Board of Education approve the minutes of the Special meeting of March 14, 2007.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: *Mrs. Farmer, Mrs. Leonti, Mrs. Webel, Mr. Collins*
NAYS: *None – Motion Carries – 4-0-1*
ABSENT: *Ms. Stemple*

WARRANTS

07-61 *Mr. Collins* moved that the Board of Education approve the warrants for the month of February, 2007.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: *Mrs. Leonti, Mrs. Webel, Mr. Collins, Mrs. Farmer*
NAYS: *None – Motion Carries – 4-0-1*
ABSENT: *Ms. Stemple*

FINANCIAL STATEMENT

07-62 *Mrs. Farmer* moved that the Board of Education approve the Financial Statement for the month of February, 2007.

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: *Mrs. Webel, Mr. Collins, Mrs. Farmer, Mrs. Leonti*
NAYS: *None – Motion Carries – 4-0-1*
ABSENT: *Ms. Stemple*

PERSONNEL

07-63 *Mrs. Leonti* moved that the Board of Education upon the recommendation of the Superintendent approve Janet Turchin, Custodian, Intermittent Family Medical Leave paid and unpaid effective February 15, 2007 not to exceed 12 weeks.

Mr. Collins seconded the motion.

ROLL CALL: AYES: Mr.Collins,Mrs.Farmer,Mrs.Leonti,Mrs.Webel
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms.Stemple

07-64 *Mrs. Farmer* moved that the Board of Education upon the recommendation of the Superintendent approve Marian Shoemaker, Cornerstone Teacher, extension of Family Medial Leave paid and unpaid effective February 2, 2007 though April 30, 2007.

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: Mrs.Farmer,Mrs.Leonti,Mrs.Webel,Mr.Collins
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms.Stemple

07-65 *Mr. Collins* moved that the Board of Education upon the recommendation of the Superintendent approve Joyce Krusinski, Coordinator of Technology and Tech. Professional Development, retirement as of July 31, 2007.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs.Leonti,Mrs.Webel,Mr.Collins,Mrs.Farmer
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms.Stemple

07-66 *Mrs. Leonti* moved that the Board of Education upon the recommendation of the Superintendent approve Billie Vaughn, Grill School, Special Education Resource Teacher, retirement as of July 1, 2007.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs.Webel,Mr.Collins,Mrs.Farmer,Mrs.Leonti
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms.Stemple

PERSONNEL –Classified (Pending background check)

07-67 *Mrs. Farmer* moved that the Board of Education upon the recommendation of the Superintendent approve the following:

1. Tami Stefan, High School Cafeteria, effective March 26, 2007.

07-67 cont. **Mrs. Leonti** seconded the motion.

ROLL CALL: AYES: Mr. Collins, Mrs. Farmer, Mrs. Leonti, Mrs. Webel

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

SUBSTITUTE PERSONNEL –Certified (Pending background & certification check)

07-68 **Mrs. Leonti** moved that the Board of Education upon the recommendation of the Superintendent approve the following:

1. Amanda Gordon
2. Michael Lowry
3. Jeremy Muhl
4. Crystal Robinson
5. Thomas Sporich

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs. Farmer, Mrs. Leonti, Mrs. Webel, Mr. Collins

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

SUBSTITUTE PERSONNEL –Classified (Pending background check)

07-69 **Mr. Collins** moved that the Board of Education upon the recommendation of the Superintendent approve the following:

1. Holly Sims
2. Candice Thompson

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs. Leonti, Mrs. Webel, Mr. Collins, Mrs. Farmer

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

HOME INSTRUCTOR

07-70 **Mrs. Farmer** moved that the Board of Education upon the recommendation of the Superintendent approve Jan Miskell as a Home Instructor on an as-needed basis.

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: Mrs. Webel, Mr. Collins, Mrs. Farmer, Mrs. Leonti

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

ADMINISTRATIVE CONTRACTS

07-71 **Mr. Collins** moved that the Board of Education upon the recommendation of the Superintendent approve the following two-year administrative contracts effective August 1, 2007 through July 31, 2009:

1. Rolland Gerstenmaier
2. Roger Plaster

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mr. Collins, Mrs. Farmer, Mrs. Leonti, Mrs. Webel
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms. Stemple

07-72 **Mr. Collins** moved that the Board of Education upon the recommendation of the Superintendent approve Randy Whited, Facilities Supervisor, two-year contract effective August 1, 2007 through July 31, 2009.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs. Farmer, Mrs. Leonti, Mrs. Webel, Mr. Collins
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms. Stemple

TEACHER/ATHLETIC DIRECTOR/HEAD FOOTBALL COACH

07-73 **Mr. Collins** moved that the Board of Education upon the recommendation of the Superintendent employ R. Matthew Parrill as High School Language Arts Teacher and Athletic Director (Faculty Manger).

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs. Leonti, Mrs. Webel, Mr. Collins, Mrs. Farmer
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms. Stemple

07-74 **Mrs. Leonti** moved that the Board of Education upon the recommendation of the Superintendent employ R. Matthew Parrill for 10 extended days as Athletic Director.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs. Webel, Mr. Collins, Mrs. Farmer, Mrs. Leonti
NAYS: None – Motion Carries – 4-0-1
ABSENT: Ms. Stemple

07-75 **Mrs. Farmer** moved that the Board of Education upon the recommendation of the Superintendent employ R. Matthew Parrill as Head Football Coach.

07-75 cont. **Mr. Collins** seconded the motion.

ROLL CALL: AYES: Mr. Collins, Mrs. Farmer, Mrs. Leonti, Mrs. Webel

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

CONSENT AGENDA

07-76 **Mrs. Leonti** moved that the Board of Education upon the recommendation of the Superintendent approve the following Consent Agenda:

Camps

1. Boys Basketball, Grades 4-10, Norton High School Gym at a cost of \$45.
2. Girls Basketball, Grades 2-4, Cornerstone/Norton 21 Gym at a cost of \$40.
3. Girls Basketball, Grades 5-6, Middle School Gym at a cost of \$40.
4. Girls Basketball, Grades 7-12, Norton High School Gym at a cost of \$50.

Trips

Approve the following overnight trips:

1. Masonry/Building Trades Program, State Skills – USA Conference, April 26-28, 2007.
2. Business Professionals of America National Competition, May 8 – 12, 2007.

Job Descriptions

1. Coordinator of Technology & Technology Professional Development.
2. Technical Theater Director

Handbook

Approve the High School Student Handbook.

Mr. Collins seconded the motion.

ROLL CALL: AYES: Mrs. Farmer, Mrs. Leonti, Mrs. Webel, Mr. Collins

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

ADJOURNMENT

07-77 **Mrs. Leonti** moved that the Board of Education adjourn the regular meeting at 8:23 p.m.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs. Leonti, Mrs. Webel, Mr. Collins, Mrs. Farmer

NAYS: None – Motion Carries – 4-0-1

ABSENT: Ms. Stemple

Notice of this meeting was given in accordance with the provisions of Policy and Regulations of the Board of Education which was adopted in accordance with §121.11 of the Ohio Revised Code and the Ohio Administrative Procedures Act.”

Cindy Webel, President

Mary Renick, Assistant Treasurer