

**LIBERTY UNION-THURSTON BOARD OF EDUCATION
REGULAR MEETING**

December 14, 2009

7:00 P.M. - Liberty Union High School Library

If you need to use the elevator to go to the library on the second floor of the high school, please call the District Office at 862-4171 on the day of the meeting.

- 1. **ROLL CALL:**
 - Art Brate _____
 - Joe Farmer _____
 - Shaun Hochradel _____
 - John Hutton _____
 - Mike Raver _____

2. **PLEDGE OF ALLEGIANCE**

3. **RECOGNITION**

- A. **STUDENTS OF THE MONTH:** Matt Thompson & Megan VanAlmsick
- B. **TEACHER OF THE MONTH:** Mrs. Charlotte Muesegaes,
High School Integrated Technology
- C. **LIBERTY UNION HIGH SCHOOL MARCHING BAND:** State Marching Band
Competition
- D. **VARSITY BOYS GOLF TEAM:** MSL Champions
- E. **JV BOYS GOLF TEAM:** MSL Champions
- F. **LANDON HUTCHISON:** MSL "Player of the Year"
- G. **JIM REED:** MSL "Coach of the Year"
- H. **JV FOOTBALL TEAM:** MSL Champions
- I. **JUNIOR HIGH BOYS CROSS COUNTRY TEAM:** MSL Champions

- J. VARSITY GIRLS CROSS COUNTRY TEAM: MSL Champions**
- K. VARSITY BOYS CROSS COUNTRY TEAM: MSL Champions/State Qualifier**
- L. BRANDON ALTIERS: MSL Junior High “Runner of the Year”**
- M. JEFF HANSON: State Qualifier**
- N. DREW MCCORMICK: MSL “Runner of the Year”/State Qualifier**
- O. KRISTA MATHEWS: All-Ohio**
- P. JON MORRIS: MSL “Coach of the Year”**

4. PUBLIC PARTICIPATION AT BOARD MEETINGS File: KD (Also BDDH)

All meetings of the board and board-appointed committees are open to the public. Delegations or individuals are welcome at board meetings, subject to the following regulations designed to expedite deliberations and provide for full consideration of problems and questions:

- A. Establish appointment to present communications or petitions to the board three working days before the board meeting.
- B. Submit communications in writing at the time of requesting an appointment so that they may be duplicated and given to board members in the agenda materials.
- C. Limit presentations to 30 minutes with additional time to be granted by a vote of the majority of the Board. Each individual will be allotted three minutes until the total time of 30 minutes is used.
- D. Only upon the request of the board members will communications from the public be read aloud at the board meetings. These communications will be read by the board president, unless it is in violation of board policy. Such violation will be determined through consultation between the board president or treasurer and the superintendent.
- E. Each person addressing the Board shall give his/her name, address, and who they represent. If several people wish to speak, each person is allotted three minutes until the total time of 30 minutes is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. Persons desiring more time should follow the procedure of the Board to be placed on the regular agenda. The period of public participation may be extended by a vote of the majority of the Board.
- F. The board will take questions and problems under advisement and issue responses after due deliberations, usually at the next meeting.
- G. If questions or problems relate to personnel, the Board will go into executive session to receive such presentations.

Board agendas are available to all those who attend board meetings. The section on the agenda for public participation shall be indicated. Noted in each agenda shall be a short paragraph outlining the board policy on public participation at board meetings.

[Adoption date:	January 10, 2000]	[Revised: October 9, 2000]	[Revised: April 9, 2001]
LEGAL REFS.:	ORC 121.22 3313.20	CROSS REFS.:	BCE, Board Committees BD, School Board Meetings BDDB, Agenda Format BDDC, Agenda Preparation and Dissemination

5. REFRESHMENTS: Prepared by the Food Services Department

6. MINUTES

Motion by _____, seconded by _____, to approve the minutes of the Liberty Union-Thurston Board of Education Regular Meeting held on November 9, 2009, and the Special Meeting held on November 24, 2009, as printed below: Brate, _____; Farmer, _____; Hochradel, _____; Hutton, _____; Raver, _____.

**LIBERTY UNION-THURSTON BOARD OF EDUCATION
REGULAR MEETING**

November 9, 2009

7:00 P.M. - Liberty Union High School Library

ROLL CALL:

Art Brate	Present
Joe Farmer	Present
Shaun Hochradel	Present
John Hutton	Absent
Mike Raver	Present

PLEDGE OF ALLEGIANCE

RECOGNITION

- A. **STUDENTS OF THE MONTH:** Nick Tennant & Aaron Young
- B. **TEACHER OF THE MONTH:** Mrs. Katie Hochradel, Middle School Intervention Specialist
- C. **OSBA MEDIA HONOR ROLL:** Charles Prince; Buckeye Lake Beacon

PUBLIC PARTICIPATION AT BOARD MEETINGS

File: KD (Also BDDH)

REFRESHMENTS: Prepared by the Food Services Department

MINUTES

102-09 Motion by Joe Farmer, seconded by Shaun Hochradel, to approve the minutes of the Liberty Union-Thurston Board of Education Regular Meeting held on October 12, 2009, as printed. Brate, yes; Farmer, yes; Hochradel, yes; Hutton, **absent**; Raver, yes. Motion carried.

MONTHLY FINANCIAL STATEMENTS

103-09 Motion by Shaun Hochradel, seconded by Mike Raver, to approve monthly financial items stated below: Farmer, yes; Hochradel, yes; Hutton, **absent**; Raver, yes; Brate, yes. Motion carried.

- A. **TREASURER’S FINANCIAL REPORT**
 - 1. **MONTHLY FUNDS BALANCE**
 - 2. **RECEIPT OF FUNDS**
 - 3. **STATUS OF APPROPRIATIONS**
 - 4. **MONTHLY BANK RECONCILIATION**
- B. **BILLS**
- C. **STUDENT ACTIVITY MONTHLY APPROPRIATIONS**

<u>FUND</u>	<u>AMOUNT</u>
018	\$14,192.22
200	4,577.45
300	35,223.82
Total Changes	\$53,993.49

D. DONATIONS:

<u>Amount</u>	<u>Donor</u>	<u>Fund</u>
\$ 50.00	Fast Max	Renaissance
100.00	OAPSE 494	Renaissance
1,750.00	Pepsi	Elem Principal
2,000.00	Pepsi	Middle Principal
1,000.00	Pepsi	Renaissance
2,250.00	Pepsi	Renaissance

5,000.00	Pepsi	Tech Vending
100.00	5K Run - Dennis Long / Layman Chevy	Cross Country
600.00	Anonymous	Band
500.00	Central District Athletic Board School Bonus	Athletics
77.52	Max & Erma's Restaurant	Soccer
202.27	Booster BINGO	Athletics
500.00	Booster BINGO	Football
500.00	Booster BINGO	Boys Golf
297.73	Booster BINGO	Girls Soccer
100.00	In Memory of Paul Wooster by Connie Leitnaker	Football
50.00	In Memory of Paul Wooster by Patrick & Lynda O'Brien	Football
\$15,077.62	Total	

NEW BUSINESS: FINANCIAL

104-09 Motion by Joe Farmer, seconded by Art Brate, to approve the New Business items listed below: Hochradel, yes; Hutton, **absent**; Raver, yes; Brate, yes; Farmer, yes. Motion carried.

A. ARCHITECTURAL DESIGN AMENDMENT:

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL DESIGN SERVICES (CONSTRUCTION MANAGER INVOLVED)
BETWEEN
THE LIBERTY UNION-THURSTON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION
AND FEINKNOPF MACIOCE SCHAPPA ARCHITECTS
FOR ADDITIONAL SERVICES

The Liberty Union-Thurston Local School District Board of Education (“School District Board”) and Feinknopf Macioce Schappa Architects (“Architect”) entered into an Agreement for Professional Design Services (Construction Manager Involved) (“Agreement”) between the School District Board and Architect effective as of April 14, 2008, for services related to design and construction of the School District Board’s Master Facilities Plan with the Ohio School Facilities Commission (“Commission”), which is being pursued through the Commission’s Classroom Facilities Assistance Program, including some improvements that are not part of the co-funded building program (all of which is referred to as the “Project”); and the School District Board and the Architect now wish to amend the Agreement, pursuant to Subparagraph 9.5.2 of the Agreement, as provided in this Amendment to Agreement, effective as the date of the Amendment (referred to as the “Amendment”), which is the later of the dated signed by the Architect or the School District Board.

WHEREAS, the bids received for the high school portion of the Project were significantly under budget, and the Board, with the approval of the Commission and after completion of the design drawings for the middle school building, determined to change the heating design at that building to a complete geothermal well system; and

WHEREAS, the Architect requested compensation for the redesign services, and the Board wishes to adjust the compensation provided in the Agreement to include these redesign services;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Total Compensation. The total compensation to be paid to the Architect under the Agreement, including services described in this Amendment, as described on page 2 of the Agreement and in Section 5.1, is increased by \$21,700.00, from \$1,545,981.62 to \$1,567,681.62. This amount represents the services provided for redesign of the mechanical system at the middle school project to provide for a complete geothermal well system, after the design drawings and specifications had been completed and approved.

- 2. Additional Services. Add the following Additional Services in Paragraph 5.3:

<u>Additional Services</u>	<u>Compensation</u>
Redesign of the mechanical system	\$21,700.00

- 3. Additional Services. Increase the total amount payable under the Agreement for Additional Services as stated in Section 5.3 by \$21,700.00, from \$164,497.62 to \$186,197.62
- 4. All other terms of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment this 9th day of November, 2009.

B. ESTABLISH STUDENT ACTIVITY ACCOUNT: Approved a student activity account for the **Girls' Soccer Team** as requested by Athletic Director, Scott Williamson.

C. PURCHASE OF SCHOOL BUS - The Finance Committee and Transportation Committee have previously recommended budgeting for the purchase of a handicap-equipped bus during this fiscal year. Competitive bids for buses, through our membership in the Metropolitan Educational Council have resulted in a low bid of \$80,744.00 for a 71 passenger bus with capacity for two wheelchairs.

Purchase of this bus from Center City International was approved.

D. PURCHASED SERVICE AGREEMENTS: Approved the following purchased service agreement:

SERVICE PROVIDER: **Ohio Casualty**
 CONTRACT PERIOD: Twenty-Five Months from Start Date
 SERVICE PROVIDED: Builders Risk Insurance (High School Renovation)
 COST: \$14,800

NEW BUSINESS - PERSONNEL:

105-09 Motion by Mike Raver, seconded by Shaun Hochradel, to approve the New Business - Personnel items listed below: Hutton, **absent**; Raver, yes; Brate, yes; Farmer, yes; Hochradel, yes. Motion carried.

A. RESIGNATION: Accepted the resignation of Girls' JV Basketball Coach, **Justin Myers**.

B. CHANGE OF CLASSIFICATION: Approved the request of Rick Delynko, Building Services Supervisor, in classification for employee, **Yvonne Bidwell**, effective November 15, 2009. Yvonne has been employed for one year as a "Cleaner", and is now recommended to be approved as "Custodian".

C. SUPPLEMENTAL CONTRACT POSITIONS: The following candidates are approved for supplemental positions as listed, contingent upon sufficient numbers of student participants, and obtaining "Pupil Activity Validation permits, issued by the Ohio Department of Education.

<u>Name</u>	<u>Position</u>	<u>Level</u>	<u>Step</u>	<u>Salary</u>
Jennifer Bauer	Jr Hi Basketball Cheerleading	6	0	\$ 787.06
Tony Hatem	Fresh Boys Basketball	4	0	1,259.29
Mark Chapman	JV Girls Basketball	3	3	2,329.69

D. SUBSTITUTE LISTS:

1) **CERTIFIED SUBSTITUTE LIST:** Approved the substitute teacher list for November, 2009, as nominated by the Fairfield County Superintendent.

- 2) **CLASSIFIED SUBSTITUTE LIST: Approved** the classified substitute list for November, 2009, with the addition of the following name(s).

<u>Name</u>	<u>Address</u>	<u>Classification</u>
Julie Ulrich	965 Leonard Rd Baltimore, Oh	Handicap Aide / Teacher Aide

NEW BUSINESS: OTHER

106-09 Motion by Joe Farmer, seconded by Art Brate, to approve the Other New Business items listed below: Raver, yes; Brate, yes; Farmer, yes; Hochradel, yes; Hutton, **absent**. Motion carried.

A. APPROVED TAX LEVY RESOLUTION:

RESOLUTION REQUESTING CERTIFICATION
OF ALTERNATIVE TAX RATES
(R.C. § 5748.02)

WHEREAS, Ohio Revised Code Section 5748.02 authorizes school districts to impose voter-approved income taxes upon their residents; and

WHEREAS, the School District is currently levying a one-half percent (0.50%) per annum, five-year income tax approved by the voters of the School District on May 3, 2005 (the "Existing Income Tax") for the purpose of providing for current operating expenses of the School District, with the last year of collection of the Existing Income Tax being 2010; and

WHEREAS, a resolution declaring the necessity to raise additional School District revenue must be adopted and certified to the Tax Commissioner for the State of Ohio (the "Tax Commissioner") in order to permit the Board to consider the renewal of an income tax and to preserve the right to submit the question of levying such a renewal income tax to the electors of the School District at the election to be held May 4, 2010;

NOW, THEREFORE, BE IT RESOLVED and hereby determined by the Board of Education of the Liberty Union-Thurston Local School District, Fairfield County, Ohio, a majority of the members thereof concurring, that:

Section 1. The Board determines that it is necessary to renew the Existing Income Tax to raise annually the additional sum of Six Hundred Thirty Thousand Dollars (\$630,000) for five (5) years for the purpose of providing for the current operating expenses of the School District (the "Income Tax").

Section 2. The income that shall be subject to the Income Tax is the taxable income of individuals and estates as defined in Ohio Revised Code Section 5748.01(E)(1)(a) and (2).

Section 3. Not later than November 30, 2009, the Treasurer is directed to certify a copy of this resolution to the Tax Commissioner together with a request that the Tax Commissioner determine and certify to the Board the property tax rate that would have had to be imposed by the School District in the current year to produce the amount of money set forth above and the income tax rate that would have had to have been in effect for the current year to produce the amount of money set forth above.

Section 4. All formal actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

B. AWARDED CONSTRUCTION CONTRACTS:

AWARDING CONTRACTS FOR THE HIGH SCHOOL RENOVATIONS PROJECT

WHEREAS, bids were received on October 2, 2009, for the building trades packages for the Liberty Union High School Renovations, which is being designed and constructed as part of the

Ohio School Facilities Commission’s Classroom Facilities Assistance Program project (the “Project”); and

WHEREAS, the Construction Manager met with representatives of the apparent low bidder for each bid package, reviewed the bid to verify that the bidder had included the work, equipment, and materials specified in the bid amount, evaluated the experience and qualifications of the bidder to perform the specified work, and prepared, in consultation with the Architect, the attached letters of recommendation dated November 6, 2009, recommending that the contracts for the work be awarded to the following contractors, each of which has been evaluated and determined to be the lowest responsible bidder for the specified work, including the alternate items listed:

CONTRACT	CONTRACTOR	BASE BID	ALTERNATES	TOTAL CONTRACT
BP-201 General Trades	Robertson Corporation Services, Inc	\$1,680,400.00 \$1,698,400.00	Alt. \$2,121.00	\$1,682,521.00 \$1,700,521.00
BP-202 Plumbing	Oakland Plumbing	243,113.00	None	234,113.00
BP-203 Fire Protection	TP Mechanical Contractors	80,867.00	None	80,867.00
BP-204 HVAC	Gutridge Plumbing	1,022,000.00	None	1,022,000.00
BP-205 Electrical	City Electric Services, Inc	873,500.00	None	873,500.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Liberty Union-Thurston Local School District as follows:

1. Based upon the recommendation of the Construction Manager and Architect, the Board awards the contracts for the building trades packages work to each of the contractors listed above, in the total amount stated, including the alternates noted in the chart, as the lowest responsible bidder for the specified work, subject to the approval of the OSFC.
2. The Board President or his designee, the Superintendent, and the Treasurer are authorized to sign, as required, a Contract between the Board and each of the contractors listed above and any related documents, to document the award of the building trade contracts for the CFAP project work.

C. ADOPTED MODIFIED ADDITIONAL RESPONSIBLE BIDDER WORKFORCE STANDARDS FOR THE CFAP PROJECT:

WHEREAS, the Board of Education of the Liberty Union-Thurston Local School District (“the Board”) is undertaking improvements to the District’s facilities (the “Project”) through the Ohio School Facilities Commission’s Classroom Facilities Assistance Program and including certain improvements funded solely by the Board; and

WHEREAS, the Ohio School Facilities Commission provides Standard Conditions of Contract for Construction (“Standard Conditions”) for use with bid and award of construction contracts with contractors performing work on the Project; and

WHEREAS, the Ohio School Facilities Commission permits boards of education to include additional criteria for evaluation of bidder responsibility in the Standard Conditions and specifically approved eighteen Model Responsible Bidder Workforce Standards on July 26, 2007, which may be adopted by a Board in whole or in part and with modifications when approved by the Ohio School Facilities Commission, and the Board adopted 11 items from the standards, without modification, at its meeting on April 14, 2008; and

WHEREAS, the Superintendent, working with its Architect and Construction Manager, recommend modifying the provisions adopted previously to give the Board flexibility in the application of the additional standards to the determination of the responsibility of bidders to perform the work on the Project, as set forth in the attached document, all of which have been approved by the Ohio School Facilities Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Liberty Union-Thurston Local School District that:

1. The Board approves the modification of the items previously adopted, Items no. 1 through 8, 10, 12, and 16, as described in the attached document.
2. The Board directs the Construction Manager to include these modified additional standards, as revised, in the Standard Conditions included with all bid packages issued for the CFAP improvements after this date and to use these standards in the evaluation of the responsibility of bidders for award of construction contracts for the Project.

**ADDITIONAL
 MODEL RESPONSIBLE BIDDER WORKFORCE STANDARDS
 FOR THE LIBERTY UNION-THURSTON LOCAL SCHOOL DISTRICT CFAP PROJECT**

The following standards are adopted by the Board of Education of the Liberty Union-Thurston Local School District (referred to as the "School District Board" or "Board") for the improvements to the District's school buildings, including new buildings and additions and renovations to the existing school buildings, which are being constructed in partnership with the Ohio School Facilities Commission through its Classroom Facilities Assistance Program, subject to approval by the Ohio School Facilities Commission. These standards are based upon the Model Responsible Bidder Workforce Standards approved by the Commission in Resolution 07-98, adopted July 26, 2007, with modifications (the number for each standard listed below corresponds with the numbered standard in Resolution 07-98). Upon approval by the Commission, these standards shall be included in the bidding documents issued for all work and shall be used in the evaluation of bids submitted for Work on the Project.

1. As a condition precedent to contract award after bid submission, the School District Board, through the Construction Manager, shall undertake with each apparent low bidder for a construction contract a thorough review to verify that the Bidder has included all specified Work in its bid amount and has the resources and manpower to complete the Work.
2. If the apparent low Bidder's bid amount is more than twenty percent (20%) below the amount of the bid submitted by the next lowest bidder, the School District Board, through the Construction Manager, may require the apparent low Bidder to provide a list of all projects for which it was awarded a contract (1) that was within seventy-five percent (75%) of the estimated construction cost for a similar contract and (2) that was completed by the Bidder not more than five years before the date bids were submitted for the Liberty Union-Thurston Local School District CFAP project (the "Project"). This information shall be provided, if requested, at the post-bid scope review meeting.
3. The Bidder shall certify that it will employ supervisory personnel on this Project who have three (3) or more years in the specific trade and/or maintain the appropriate state license if any. However, the Board reserves the right to award a contract to a Bidder that does not make such a certification if, in the Board's discretion, the Bidder provides sufficient assurance of the qualifications of its supervisory personnel.
4. The Bidder shall certify that it has not been debarred from public contracts for falsified certified payroll records or any other violation of the Fair Labor Standards Act in the last five (5) years.
5. The Bidder shall certify that it has not been debarred from public contracts for prevailing wage violations or found (after all appeals) to have a material violation of prevailing wage laws more than three times in a two-year period during the last ten years. Material compliance with these laws shall be determined in the sole discretion of the Board.
6. As described in Subparagraph 1.2.5 and Subparagraphs 1.2.5.1 and 1.2.5.2 of the General Conditions for this Project, the Bidder and its Subcontractors shall comply with Ohio's Drug-Free Workplace requirements and shall provide evidence of compliance request. The Bidder's certification of this compliance is included as Item 9 on the Bid Form submitted for the contract.
7. The Bidder for a licensed trade contract or fire safety contract (1) shall be licensed pursuant to Ohio Revised Code Chapter 4740 as a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing

contractor, or hydronics contractor, or (2) shall be certified by the State Fire Marshall pursuant to Ohio Revised Code Section 3737.65.

- 8. The Bidder shall certify that it has not had a professional license revoked or surrendered for fraud or negligence in the last five (5) years in Ohio or any other state.
- 10. The Bidder shall certify that it has materially complied with unemployment and workers compensation laws for at least the two years preceding the date of bid submittal. Material compliance with these laws shall be determined in the sole discretion of the Board.
- 12. The Bidder shall provide its Experience Modification Rating and a history of its OSHA violations during the post-bid review. If the Bidder’s Experience Modification Rating is greater than 1.5 (a penalty rated employer) with respect to the Bureau of Workers Compensation risk assessment rating, the Board reserves the right to evaluate the Bidder’s work history and safety record and, within its discretion, may award the contract to the Bidder.
- 16. The Bidder shall certify that it has not been debarred from any public contract - federal, state, or local - in the past five (5) years.

A material breach of any of the foregoing standards prior to contract award or during contract performance, may subject the Contractor to all contractual remedies available to the School District Board, including, but not limited to, termination for cause if the breach is related to the performance of the Work. The School District Board reserves the right to review each bidder’s circumstances and to exercise its discretion in evaluating each Bidder, with the Construction Manager and Architect, and awarding a contract to a bidder that may not give the certification listed in one of the preceding standards, but who is otherwise determined to be qualified and responsible to perform the specified Work.

Adopted by the Board of Education of the Liberty Union-Thurston Local School District on November 9, 2009 (modifications approved by the Ohio School Facilities Commission).

EXECUTIVE SESSION: An executive session is requested, in order to discuss employee negotiations, and to discuss the employment of a public employee. Recommend approval.

GO INTO EXECUTIVE SESSION:

107-09 Motion by Mike Raver, seconded by Shaun Hochradel, to go into Executive Session at 7:56 p.m. Brate, yes; Farmer, yes; Hochradel, yes; Hutton, **absent**; Raver, yes. Motion carried.

RETURN FROM EXECUTIVE SESSION:

108-09 Motion by Shaun Hochradel, seconded by Joe Farmer, to return from Executive Session at 8:35 p.m. Farmer, yes; Hochradel, yes; Hutton, **absent**; Raver, yes; Brate, yes. Motion carried.

NEGOTIATED CONTRACT:

109-09 Motion by Joe Farmer, seconded by Art Brate, to approve the OAPSE / AFSME LOCAL 494 negotiated contract, retro-active to July 1, 2009, with wage and health care agreement through June 30, 2010, and all other contract language agreement through June 30, 2012. Hochradel, yes; Hutton, **absent**; Raver, yes; Brate, yes; Farmer, yes. Motion carried.

ADJUST EMPLOYEE SALARIES: Salary increases of 1.5%, plus a one-time \$500 payment (matching the negotiated teacher contract) for the remaining fifteen school district employees, which include non-OAPSE employees, supervisors and administrators were approved, as follows:

110-09 Motion by Mike Raver, seconded by Joe Farmer, to approve the adjusted employees’ salaries as listed below: Hutton, **absent**; Raver, yes; Brate, yes; Farmer, yes; Hochradel, yes. Motion carried.

<u>Employee</u>	<u>Old Rate</u>	<u>New Rate</u>
Paul Mathews	\$97,001.60	\$98,457.60
Ed Miller	92,454.65	93,842.40

Hank Gavarkavich	86,392.50	87,688.80
Kelli Brownfield	83,360.75	84,612.00
Chet Coleman	74,266.85	75,381.60
Linda Young	68,204.25	69,228.00
David Butler	91,274.40	92,643.60
April Bolyard	61,936.20	62,285.30
Alice Bondurant	27.00	27.41
Linda Wyant	26.29	26.68
Kenny Kosch	30.55	31.00
Rick Delynko	22.73	23.07
Jan Fiedrich	22.00	22.33
Judy Cleland	29.18	29.61
John LaBelle	19.43	19.72

INFORMATION:

A. CONSTRUCTION PROJECT UPDATE

B. NEXT REGULAR MEETING: The next regular meeting of the Liberty Union-Thurston Board of Education will be held on Monday, December 14, 2009, at 7:00 p.m. in the high school library.

ADJOURN:

111-09 Motion by Shaun Hochradel, seconded by Joe Farmer, to adjourn at 8:41 p.m. Raver, yes; Brate, yes; Farmer, yes; Hochradel, yes; Hutton, **yes**. Motion carried.

**LIBERTY UNION-THURSTON BOARD OF EDUCATION
SPECIAL MEETING**

November 24, 2009 - 5:00 P.M. - Liberty Union High School Library

ROLL CALL:

Art Brate	present
Joe Farmer	absent
Shaun Hochradel	absent
John Hutton	present
Mike Raver	present_____

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION AT BOARD MEETINGS

File: KD (Also BDDH)

NEW BUSINESS - FINANCIAL

112-09 Motion by John Hutton, seconded by Mike Raver, to approve the New Business - Financial item as stated below: Brate, yes; Farmer, **absent**; Hochradel, **absent**; Hutton, yes; Raver, yes. Motion carried.

**APPROVING CONSTRUCTION DOCUMENTS DESIGN PHASE
SUBMISSION FOR THE NEW MIDDLE SCHOOL PROJECT AND
APPROVING THE PLACEMENT OF ADVERTISEMENTS
TO SOLICIT BIDS FOR THE WORK**

WHEREAS, the Board of Education of the Liberty Union-Thurston Local School District (the "District") is a participant in the Ohio School Facilities Commission's Classroom Facilities Assistance Program and through that program plans to design and build a new middle school building and renovations to the existing high school building; and

WHEREAS, Feinknopf Macioce Schappa Architects, the Board's Architect for the Project, prepared the construction documents design phase drawings and related documents for the new middle school, and Smoot Construction, the Construction Manager for the Project, reviewed the drawings and other documents prepared by the Architect and provided comments for conformity with the OSFC design phase submission requirements; and

WHEREAS, all of the comments have been reviewed and resolved with respect to the construction documents design phase drawings and documents, and the Construction Manager has assembled a construction documents design phase submission notebook for the Project, following the OSFC phase submission requirements, which includes an updated estimate of construction cost compared to the budget included in the OSFC Master Plan, the proposed Project Schedule prepared by the Construction Manager for the work required for the Project, the LFI MOU document describing the improvements that are outside the scope of the co-funded project, and other required documents; and

WHEREAS, the Board wishes to approve the construction design phase submission notebook for the new middle school and to authorize the placement of the required advertisements to solicit bids for the major building trades packages, including the general trades, plumbing, fire protection, HVAC, and electrical work;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Liberty Union-Thurston Local School District as follows:

1. The construction documents design phase submission for the new middle school, which is dated August 12, 2009, and which includes the construction documents design phase drawings and related documents prepared by the Architect and other required documents, all of which has been assembled by the Construction Manager, is approved by the Board.
2. The Treasurer is authorized to work with the Construction Manager to prepare and place the required advertisements to solicit bids for the major building trades packages for the new middle school work, with the first advertisement anticipated to be placed in the near future on a date acceptable to the Superintendent and Treasurer, with bids to be received no sooner than two weeks after that date, unless extended by the Superintendent, as the Board's authorized representative, or by addendum or operation of law.
3. The Superintendent and Treasurer are authorized to sign the LFI MOU document describing the locally funded initiative improvements included in the new middle school project for the construction documents design phase.

PERSONNEL

113-09 Motion by Mike Raver, seconded by John Hutton, to approve the New Business - Personnel item(s) listed below: Farmer, **absent**; Hochradel, **absent**; Hutton, yes; Raver, yes; Brate, yes. Motion carried.

EMPLOY INTERVENTION SPECIALIST: The following candidate was approved by the Elementary School Principal and the Middle School Principal, for employment:

NAME:	Angela M. Harnett
POSITION:	Intervention Specialist
UNIVERSITY:	Kent Sate University
DEGREE:	Bachelor of Science in Education
LICENSE:	Intervention Specialist K-12
SALARY:	\$20,881.27 (Prorated for 113 days)
STARTING DATE:	November 30, 2009
NOTE:	This position is for the remainder of the 2009/2010 school year only. The employee's contract will be non-renewed in April, 2010.

NEXT MEETING: The next regular meeting of the Liberty Union-Thurston Board of Education will be held on Monday, December 14, 2009, at 7:00 p.m. in the high school library.

ADJOURN

114-09 Motion by John Hutton, seconded by Art Brate, to adjourn at 5:11 pm. Farmer, **absent**; Hochradel, **absent**; Hutton, yes; Raver, yes; Brate, yes. Motion carried.

7. MONTHLY FINANCIAL STATEMENTS

A. TREASURER’S FINANCIAL REPORT

- 1. MONTHLY FUNDS BALANCE**
- 2. RECEIPT OF FUNDS**
- 3. STATUS OF APPROPRIATIONS**
- 4. MONTHLY BANK RECONCILIATION**

B. BILLS

C. STUDENT ACTIVITY MONTHLY APPROPRIATIONS

<u>FUND</u>	<u>AMOUNT</u>
018	\$ 1,783.25
200	10,176.14
300	24,381.13
Total Changes	\$36,340.52

D. DONATIONS

<u>Amount</u>	<u>Donor</u>	<u>Fund</u>
\$ 25.00	In Memory of Paul Wooster: MS Staff	HS Football
500.00	Booster Bingo	Boys Soccer
\$525.00	Total	

Motion by _____, seconded by _____, to approve monthly financial items A, B, C and D. Farmer, _____; Hochradel, _____; Hutton, _____; Raver, _____; Brate, _____.

8. NEW BUSINESS: FINANCIAL

SUBSTITUTE PAY RATES

Approval for the following substitute pay rates is requested:

<u>Position</u>	<u>Rate</u>
Health Aide	\$ 8.00
Library Aide	8.00
Teacher Aide	7.30
Bus Aide	7.30
Bus Drivers	10.75
Cashiers	7.70
Cooks	7.50
Cleaners	9.00
Custodians	9.00
Maintenance	9.00
Secretary	8.50
Data Processing	7.50
Tutor	20.00
Teacher	80.00
Retired Teacher	85.00
Wednesday School	60.00

LPDC	14.75
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Recommend approval.

Motion by _____, seconded by _____, to approve the New Business: Financial items listed above. Hochradel, _____; Hutton, _____; Raver, _____; Brate, _____; Farmer, _____.

9. NEW BUSINESS - PERSONNEL

A. REDUCTION OF HOURS: Employee, **Betsy Alt**, has requested a reduction in contracted hours, from 32.5 hours to 26 hours per week, effective immediately. This reduction of hours for the “Classroom Aide for Handicapped Students” position was made possible by the addition of an Intervention Specialist in the elementary school. Recommend approval.

B. REVISE TECHNOLOGY ASSISTANT CONTRACT: **John Labelle**, Technology Assistant, is currently working 220 days per year. In order to better meet the technology needs of the district, revising the Technology Assistant contract to 260/261 days per year is requested. This has been reviewed with the Personnel Committee, and is recommended to be adjusted, beginning immediately, for the current contract year. Recommend approval.

C. EMPLOY MATHEMATICS TUTOR: The following candidate is recommended for temporary employment:

NAME: **Linda Wilson**
 POSITION: Fifth-Grade Mathematics Specialist
 DUTIES: Provide Intensive Mathematics Intervention for Students through Individual Instruction, Small-Group Instruction, Inclusion-based Instruction, and Team Teaching
 WORK SCHEDULE: Fifty Days, Scheduled from January 19 - April 16, 2010
 COMPENSATION: \$160 per Day
 NOTE: This Position is Grant-Funded

Recommend approval.

D. SUBSTITUTE LISTS

1) CERTIFIED SUBSTITUTE LIST: Recommend approval of the substitute teacher list for December, 2009, as nominated by the Fairfield County Superintendent.

2) CLASSIFIED SUBSTITUTE LIST: Recommend approval of the classified substitute list for December, 2009, with the addition of the following name(s).

<u>Name</u>	<u>Address</u>	<u>Classification</u>
Marisa Guild	1030 Carroll Eastern Rd Lancaster, Ohio	Handicapped Aide

Motion by _____, seconded by _____, to approve the New Business - Personnel items listed above. Hutton, _____; Raver, _____; Brate, _____; Farmer, _____; Hochradel, _____.

10. NEW BUSINESS: OTHER

A. RESOLUTION OF NECESSITY (HS Flooring)

**DECLARING URGENT NECESSITY FOR FLOORING,
WAIVING COMPETITIVE BIDDING, AND
AUTHORIZING THE SOLICITATION OF COST PROPOSALS FOR THE WORK
REQUIRED FOR THE HIGH SCHOOL PROJECT**

WHEREAS, the Board of Education of the Liberty Union-Thurston Local School District (the "District") is a participant in the Ohio School Facilities Commission's Classroom Facilities Assistance Program and through that program is renovating the existing high school building; and

WHEREAS, bids were received and contracts awarded for the work at the existing high school building, and it was subsequently discovered that the linoleum flooring was left out of the specifications; and

WHEREAS, the estimated cost for the flooring material is \$321,835.00; and

WHEREAS, due to the schedule by which flooring must be ordered, delivered, and ready for installation, there is not time to include the material in the bid packages for the middle school portion of the overall CFAP project, and Feinknopf Macioce Schappa Architects, the Board's Architect for the Project, recommends that cost proposals be solicited from three vendors to provide the flooring material so that the installation can proceed without delay and additional cost to the Project; and

WHEREAS, the Superintendent recommends that the Board declare an urgent necessity, pursuant to its authority in Ohio Revised Code Section 3313.46, waive competitive bidding, and authorize the solicitation of cost proposals for the linoleum flooring so that the material can be ordered and delivered in time to maintain the phase one flooring installation schedule;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Liberty Union-Thurston Local School District as follows:

1. Based upon the Superintendent's recommendation with respect to the procurement of the linoleum flooring for the high school renovations, the Board declares an urgent necessity, pursuant to the authority granted to the Board in Ohio Revised Code Section 3313.46, and waives competitive bidding for these items so that the flooring can be ordered, delivered, and installed in accordance with the phase one flooring installation schedule for the high school work and no delays or additional costs will be incurred as a result of the purchase of the flooring material.
2. The Board authorizes the Superintendent, working with the Construction Manager and Architect, to solicit competitive cost proposals from at least three vendors that can provide the flooring material within the timeframe required to maintain the phase one flooring installation schedule, to review the proposals received, and to determine which vendor submitted the lowest responsible proposal and to enter into an agreement with that vendor for the purchase and delivery of the flooring in an amount that is anticipated to be approximately \$321,835.00.
3. All of the foregoing authorizations are subject to the approval of the Ohio School Facilities Commission.

B. TAX LEVY: RESOLUTION TO PROCEED

**RESOLUTION DETERMINING TO PROCEED WITH THE
PROPOSITION OF A RENEWAL INCOME TAX
(R.C. § 5748.02 and R.C. § 5748.03)**

WHEREAS, the Board at its meeting on November 9, 2009, determined that it is necessary to raise annually additional revenues of at least Six Hundred Thirty Thousand Dollars (\$630,000) for the purpose of providing for the current operating expenses of the School District; and

WHEREAS, the Tax Commissioner of the State of Ohio has estimated and certified the property tax rate and the income tax rate required in order to produce such additional revenues; and

WHEREAS, the income tax rate, rounded to the nearest one-fourth of one percent as required by law, is one-half percent (0.5%) per annum; and

WHEREAS, such rate is not higher than the income tax approved by the voters of the School District on May 3, 2005, for five (5) years (the "Existing Income Tax");

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Liberty Union - Thurston Local School District, Fairfield County, Ohio, a majority of the members thereof concurring, that:

Section 1. It is hereby determined to be necessary to proceed with the proposition of levying a renewal of the Existing Income Tax on the school district income of individuals and estates resident in the School District. Such renewal income tax shall be at the rate of one-half percent (0.5%) per annum, shall be for the purpose of providing for current operating expenses of the School District, shall take effect on January 1, 2011, and shall be levied for five (5) years (the "Income Tax").

Section 2. The income that shall be subject to the Income Tax is the taxable income of individuals and estates as defined in Ohio Revised Code Section 5748.01 (E)(1)(a) and (2).

Section 3. The question of levying such renewal income tax shall be submitted to the electors of the School District at the election to be held at the usual voting places within the School District on May 4, 2010.

Section 4. The form of the ballot to be used at said election shall be as follows:

AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

	FOR THE TAX
	AGAINST THE TAX

Section 5. The Treasurer of the School District is hereby directed to certify a copy of this Resolution to the Board of Elections of Fairfield County, Ohio, not later than February 18, 2010.

Section 6. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and that all deliberation of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Motion by _____, seconded by _____, to approve the Other New Business items listed above. Raver, _____; Brate, _____; Farmer, _____; Hochradel, _____; Hutton, _____.

11. REVIEW OF BOARD OF EDUCATION POLICIES: The following policies are for review only in December, and will be placed on the January 11, 2010 agenda for approval:

A. File: IGBM - CREDIT FLEXIBILITY

The Board recognizes that an effective educational program is one that provides opportunities for students to customize aspects of their learning around their respective needs and interests. Credit flexibility is one

method to motivate and increase student learning by allowing access to more resources, customization around individual student needs and the use of multiple measures of learning.

Credit flexibility shifts the focus from “seat time” to performance. Students can earn units of high school credit based on an individually approved credit flexibility plan. The intent of credit flexibility is to meet increased expectations for high school graduation in response to globalization, technology and demographics, and to meet the demand for 21st century skills.

In accordance with State law, the District must develop and implement a credit flexibility plan that enables students to earn high school credit by:

1. completing coursework;
2. testing out or showing mastery of course content;
3. pursuing an educational option and/or an individually approved option and/or
4. any combination of the above.

The Superintendent/designee develops the District’s credit flexibility plan consistent with the provisions of the following regulation.

Adoption: [_____]

LEGAL REFS.: Carnegie Design Team Report to the State Board of Education, *New Emphasis on Learning: Ohio’s plan for credit flexibility shifts the focus from “seat time” to performance (March, 2009)*

- ORC 3313.60; 3313.603; 3313.309; 3313.6013; 3313.611; 3313.613; 3313.614; 3313.90
- 3321.04
- Chapter 3324
- Chapter 3365
- OAC Chapter 3301-46
- 3301-35-06
- Chapter 3301-46
- Chapter 3301-51
- Chapter 3301-61

- CROSS REFS.: IGAD, Career-Technical Education
 IGBH, Alternative School Programs
 IGCB, Experimental Programs
 IGCD, Educational Options (Also LEB)
 IGCF, Home Instruction
 IGCH, Postsecondary Enrollment Options (Also LEC)
 IGE, Adult Education Programs
 IKA, Grading Systems
 IKE, Promotion and Retention of Students
 IKEB, Acceleration
 IKF, Graduation Requirements

NOTE: *In 2007, the Ohio General Assembly enacted Senate Bill (SB) 311, also known as the Ohio Core, which directed the State Board of Education to adopt a plan that enables students to earn units of high school credit based on demonstration of subject area competency, instead of or in combination with completing hours of classroom instruction.*

SB 311 requires all local school boards to comply with the provisions of the State Board’s credit flexibility plan by adopting local board policy (ORC 3313.603(J)). full implementation of the local board policy must be reached by the beginning of the 2010-2011 school year.

B. File: IGBM-R - CREDIT FLEXIBILITY

In accordance with State law, the District’s plan for credit flexibility must:

1. identify the multiple methods of communication and frequency of each method the District will use to communicate the aspects of the credit flexibility policy and plan to students and parents on an on-going basis;
2. allow for demonstrated proficiency options on an on-going basis;
3. allow for graded options for demonstrated proficiency;
4. allow demonstration of proficiency to count towards course requirements for graduation;
5. determine credit equivalency for a Carnegie unit;
6. prohibit capping or limiting the number of courses or credits earned through credit flexibility;
7. allow for both simultaneous credit and/or partial credit to be earned;
8. not prohibit access to online education, postsecondary options or services from another district, as approved by the Board;
9. allow, if so desired, for the acceptance of credit from other districts and educational providers;
10. establish provisions for instances when students do not or cannot complete requirements and
11. establish a review process and submit data to the Ohio Department of Education about the methods and frequency of communication with students and parents.

In addition, the Superintendent/designee collects performance data including, but not limited to, the number of participating students, total credits earned and extent to which student participation reflects diversity of the student body.

The Ohio Department of Education recommends that the Superintendent maintain a “library” of courses that were previously accepted to assist student, parents and teachers with understanding available options (or those unique to local contexts and regional economic development interests).

Adoption:

C. File: IND/INDA - SCHOOL CEREMONIES AND OBSERVANCES/PATRIOTIC EXERCISES

The Board believes that special recognition should be given to national holidays. The building principal should encourage a discreet observance of these holidays which have become a part of the American heritage. These observances may, in some instances, be in the form of a school assembly while in other instances they are a part of the classroom work.

The Board directs the administration to develop specific activities within each building to convey the meaning and significance of Veterans Day. The observance must be at least one hour long, except in buildings that schedule class periods of less than an hour. In those buildings, the observance must be at least one standard class period in length.

Religious Holidays and Observances

The following guidelines govern the observance of, and teaching about, religious holidays in the schools:

1. The public schools must be neutral in matters of religion. The schools must show no preference for one religion over another. They must refrain from the promotion of any religion or all religions; consequently, no religious celebrations may be conducted by the public schools.
 “Religious celebration” is defined as:
 - A. a formal observance, including worship or religious services of any kind, whether or not conducted by a member of the clergy. Religious observances cannot be justified by the fact that the majority of students or individuals in a given community happen to approve of the practice or by the fact that individual students may absent themselves upon parental request;
 - B. the display of religious objects or symbols, except those that are integral parts of a short-term study in the curriculum, such as art, history, etc., or

- C. the presentation of religious music, except to the extent that such music is presented for its musical rather than its religious content. Songs or music programs which have significance for a particular religion should not be sung or performed in the school during the period which coincides with the community celebration of the events portrayed in the music. Festive songs that cannot be associated with a religious celebration are permitted.
- 2. A program or observance related to a religious holiday in theme or timing should be evaluated as to its purpose and effect. If either the purpose or the effect is judged to be religious rather than secular, the activity should not be undertaken.
- 3. The school should avoid any activity, display or exhibit that promotes or gives its approval to religious matters.

Patriotic Exercises

The Board does not require the daily recitation of the Pledge of Allegiance. However, the Board encourages reciting of the Pledge on a regular basis as determined by the classroom teacher or building principal. ***The District is prohibited from preventing a teacher from having student recite the Pledge of Allegiance in the teacher’s classroom.***

The Board recognizes that beliefs of some persons prohibit participation in the Pledge, the salute to the United States Flag or other opening exercises. Therefore, such persons are excused from participation.

The Board prohibits the intimidation of any student by other students or staff aimed at coercing participation in reciting the pledge.

School Prayer

The Board certifies that it does not have, nor will it adopt any policies that deny or prevent participation in constitutionally protected school prayer. This certification is submitted annually to the Ohio Department of Education by October 1.

Moment of Silence

The Board *may* provides for a moment of silence with participation of students for prayer, reflection or meditation upon a moral, philosophical or patriotic theme.

The Board, administrators or any District employee shall not require a student to participate in a moment of silence.

Constitution Day

On September 17 of each year, the District *may will* participate in the celebration of Constitution Day *by reciting the Preamble of the Constitution at 2:00 p.m. EST*. When the 17th falls on a weekend, the day of celebration will be announced.

[Approval date: January 10, 2000]
[Revised: November 14, 2005]

LEGAL REFS.: U.S. Const. Amend. I, Establishment Cl..
ORC 5.23
3313.602; 3313.63; 3313.80

12. ANNUAL BOARD RE-ORGANIZATION: The Board of Education Re-Organizational Meeting, with the regular meeting immediately following, will be held on January 11, 2010, at 7:00 p.m. in the high school library. It is necessary to appoint a President Pro Tempore for the re-organizational meeting.

Motion by _____, seconded by _____ to appoint _____ as President Pro Tempore for the January 11, 2010, Board of Education Re-Organizational Meeting. Brate, _____; Farmer, _____; Hochradel, _____; Hutton, _____; Raver, _____.

13. INFORMATION

- A. CONSTRUCTION PROJECT UPDATE:** Architect, Joe Schappa, will provide a construction update.

- B. NEXT REGULAR MEETING:** The Board of Education Re-Organizational Meeting, with the regular meeting **immediately following**, will be held on Monday, January 11, 2010, at 7:00 p.m. in the high school library.

- C. NEXT REGULAR MEETING:** A **Special Meeting** of The Board of Education will meet on Saturday, January 16, 2010, at 8:30 **a.m.** in the high school library.

16. ADJOURN: Motion by _____, seconded by _____, to adjourn at _____ p.m. Farmer, _____; Hochradel, _____; Hutton, _____; Raver, _____; Brate, _____.