

KIRTLAND BOARD OF EDUCATION
SPECIAL MEETING AGENDA
KIRTLAND HIGH SCHOOL LGI ROOM

June 29, 2009

7:00 P.M.

The Kirtland Local School District will make reasonable accommodation for individuals with disabilities to be able to participate in this activity. Please make all requests to the Superintendent.

I. INTRODUCTIONS

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Welcome
- * E. Requests for Public Hearing Regarding Board Agenda Items

II. REPORTS

New Textbooks and New Courses of Studies – Gloria Brach
Block Scheduling – Pete Hliatzos, Scott Greenlee

III. AGENDA ITEMS

- A. Approval of Minute Transcript
 - 1. Special Meeting of May 18, 2009
 - 2. Special Meeting of May 22, 2009
 - 3. Special Meeting of May 29, 2009
 - 4. Special Meeting of June 3, 2009
 - 5. Special Meeting of June 8, 2009
 - 6. Special Meeting of June 22, 2009

- B. Acceptance of Financial Statement

- 1. May, 2009

MOTION_____ SECOND_____ AB_____ JB_____ RS_____ DS_____ JS_____

IV. REQUESTS FOR BOARD ACTION

- A. Board Members

- 1. Other

MOTION_____ SECOND_____ AB_____ JB_____ RS_____ DS_____ JS_____

B. Treasurer

1. Recommendation to Approve the Following Fund to Fund Transfers:
From:
General Fund \$40,100
To:
Food Service \$40,100
From:
General Fund \$50,000
To:
Termination Benefits \$50,000
From:
General Fund \$ 2,000
To:
High School Yearbook \$ 2,000
2. Recommendation to Approve an Amended Appropriation for the 2008-2009 School Year:
3. Recommendation to Approve a Permanent Appropriation for the 2009-2010 School Year
4. Recommendation to Establish the Penny Hennie Scholarship Fund and Authorizing the Treasurer to Prepare an Agreement with the Hennie Family for the Distribution of the Funds
5. Recommendation to Establish the Fifties Scholarship Fund and Authorizing the Treasurer to Prepare an Agreement with Ruth Spencer for the Distribution of the Funds
6. Recommendation to Approve a Resolution Regarding Representation at Meetings of the Lake County Schools Council

WHEREAS, the Kirtland Local School District is a member of the Lake County Schools Council; and

WHEREAS, the Agreement for the Establishment of the lake County Schools Council ("Agreement") can be amended, pursuant to Section 8 of the Agreement, with the approval of at least a majority of the governing bodies of those members; and

WHEREAS, Section 3 of that Agreement states that a board of education's representative on the Council shall be the superintendent; and

WHEREAS, the Board of Directors of the Lake County Schools Council has recommended that the Agreement be modified to permit the appointment of an Alternate Representative.

NOW, THEREFORE, BE IT RESOLVED that:

1. This board of education agrees to the proposed modification of Section 3 of the Agreement for the Establishment of the lake County Schools Council as follows:

Section 3: Representation of Members. The governing body of each Member shall appoint one Representative and may appoint an Alternate Representative. In the case of boards of education, the Representative shall be the Member's Superintendent and the Alternate Representative, if one is appointed, shall be the Member's Treasurer. In the case of a Member that is not a board of education, the Representative, and Alternate Representative if one is appointed,

shall be executives of the Member appointed by the Member's governing body.

In the absence of a Member's Representative at a meeting, the Member's Alternate Representative shall have the authority to exercise all the powers and duties assigned to the Member's Representative. At any meeting attended by both the Member's Representative and Alternate Representative, only the Representative shall exercise those powers and duties.

2. The treasurer is directed to send a certified copy of this Resolution to the administrator of the Lake County Schools Council.

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

7. Recommendation to Approve the 2010 Proposed Tax Budget Submitted by the Kirtland Public Library and to Forward said Budget to the Lake County Auditor

8. Recommendation Authorizing the Treasurer to Advertise for Bids for the Construction of 40'X60' Maintenance Storage Building and all Necessary Utilities

9. Recommendation to Award Bus Bid to Power City International, One Bus to be Purchased in FY2009 and One Bus to be Purchased in FY2010:

Base Bid	\$79,750.00
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Options:

Transmission Software	\$ <u>575.00</u>
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Total	\$80,325.00
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Trade-Ins

Bus #2	\$ 1,500.00
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Bus #4	\$ 1,300.00
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10. A RESOLUTION AFFIRMING AND RESTATING THE TERMS OF A PICK UP PROGRAM FOR CERTAIN EMPLOYEE CONTRIBUTIONS TO STRS AND SERS AND AUTHORIZING THE TREASURER TO TAKE ANY NECESSARY ACTION RELATING THERETO

WHEREAS, employees of the Board of Education of the Kirtland Local School District (the "District") are members of the School Teachers Retirement System ("STRS") or the School Employees Retirement System ("SERS"); and

WHEREAS, employees who are members of STRS or SERS must contribute a percentage of their compensation as member contributions to STRS or SERS; and

WHEREAS, member contributions to STRS or SERS will not be currently subject to federal income tax if such contributions are picked-up by the District in accordance with Internal Revenue Code ("IRC") Section 414(h)(2) and rulings thereunder; and

WHEREAS, the District has previously adopted pick-ups on behalf of employees; and

WHEREAS, the District wishes to affirm, restate and modify the terms of its pick-up programs for employees; and

WHEREAS, pursuant to applicable provisions of Chapters 3307 and 3309 of the Ohio Revised Code (“ORC”) and Ohio Administrative Code (“OAC”) rules thereunder, certain employees of the Board who are members of STRS, or SERS are permitted to purchase, by payroll deduction, additional service credit under STRS, SERS and Ohio Public Employees Retirement System (“PERS”); and

WHEREAS, Internal Revenue Service rulings under IRC Section 414(h)(2) have permitted governmental employers to pick up employee contributions required for the purchase of additional service credit under a state or local governmental retirement system; and

WHEREAS, pursuant to ORC Sections 3307.70 and 3307.711, the STRS board has adopted OAC Rule 3307:1-3-11 to permit employers to pick up employee contributions required for the purchase of additional service credit under STRS, SERS and PERS; and

WHEREAS, in accordance with the foregoing, the Board would like to provide that an employee who is permitted to purchase additional service credit under the STRS or SERS payroll deduction plans may irrevocably elect to have the Board pick up, by the salary reduction method, an employee’s required contributions to purchase additional the service credit under STRS, SERS or PERS;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Kirtland Local School District, County of Lake, State of Ohio, that:

Section 1. In accordance with Internal Revenue Code (“IRC”) Section 414(h)(2), the Board shall pick up all of the required member contributions of all employees to the State Teachers Retirement System (“STRS”) and School Employees Retirement System (SERS”).

Except as otherwise provided for in Board policy, the terms of a collective bargaining agreement or the terms of an employee’s written contract of employment with the Board, the pick-up shall be a “salary reduction” pick-up of the entire amount of the member contribution which the employee is required to contribute to STRS or SERS, based upon the salary and all other “compensation” of the employee under Ohio Revised Code (“ORC”) Section 3307.01 or 3309.01. Accordingly, the compensation of an employee covered by the salary reduction pick up shall be deemed to be reduced by the amount of the pick up; and the Treasurer is hereby authorized to pay an equal amount the amount of the salary reduction pick-up directly to STRS or SERS as a member contribution of the employee.

To the extent provided for in Board policy, the terms of a collective bargaining agreement or the terms of an employee’s written contract of employment with the Board, the pick-up shall be a “fringe benefit” pick-up of all or a portion of the member contribution which the employee is required to contribute to STRS or SERS, based upon the

salary and all other “compensation” of the employee under Ohio Revised Code (“ORC”) Section 3307.01 or ORC Section 3309.01. To the extent that a fringe benefit pick up is in effect with respect to an employee, the Board shall not reduce the compensation of the employee on account of the required member contributions to STRS or SERS; and the Treasurer is hereby authorized to instead pay directly to STRS or SERS the required amount of the STRS or SERS member contribution of the employee.

To the extent provided for in Board policy, the terms of a collective bargaining agreement or the terms of an employee’s written contract of employment with the Board, the amount of an employee’s fringe benefit pick-up shall also be considered as compensation of the employee for purposes of ORC Section 3307.01 or ORC Section 3309.01; and, to the extent that any such picked up amounts are considered to be additional compensation for such purposes, the Treasurer shall pay directly to STRS or SERS, all employer and member contributions (in lieu of the employee paying the member contributions) required on account of the inclusion of such fringe benefit pick-up as additional compensation for such purposes.

No employee shall have the option of receiving cash or other taxable benefits or amounts in lieu of having a pick up in effect for all of the employee’s required member contributions to STRS or SERS.

Section 2. An employee shall be “Covered Employee” under this Section 2 of this Resolution if the employee meets all of the following requirements:

- (a) The employee is a member of STRS or SERS.
- (b) The employee elects to purchase additional service credit under the STRS or SERS payroll deduction plans and specifies the amount of service credit to be purchased.
- (c) The employee agrees that the purchase of the specified amount of additional service credit shall be made by payroll deduction pursuant to OAC 3307:1-3 or OAC 3309-1-54.
- (d) The employee agrees that the payroll deductions for the purchase of such service credit shall be picked up by the Board pursuant to IRC Section 414(h)(2) and in accordance with OAC 3307:1-3-11 (M) or OAC 3309-1-54 and the foregoing terms of this Resolution.
- (e) The employee agrees that his or her election to purchase additional service credit, election to pay for the purchase of such service credit by payroll deduction, and agreement to the pick up provided herein are irrevocable.

With respect to a Covered Employee under this Section 2, the compensation of the Covered Employee shall be reduced in accordance with Section 1 of this Resolution to provide for a salary reduction pick-up of the contributions the Covered Employee is required to make for the purchase of additional STRS, SERS or PERS service credit under a payroll deduction plan of STRS or SERS, as permitted under IRC Section 414(h)(2) and rulings thereunder.

All such picked up amounts shall be paid by the Board to STRS or SERS on behalf of the Covered Employee as a pick up by the Board of the member contribution requirements otherwise imposed upon the employee for the purchase of additional service credit, in lieu of such amounts otherwise being paid directly by the Covered Employee. Once a pick up of employee contributions is begun under this Section 2, no covered employee shall have the option of receiving cash or other taxable benefits or amounts in lieu of having the pick up in effect for payment of all of the employee's required member contributions to STRS or SERS for purchase of the service credit.

Section 3. All salary reduction pick-up amounts shall be included in the employee's total annual salary for the purpose of computing daily rate of pay, for determining paid salary adjustments to be made due to absence, or for any similar purpose. Fringe benefit pick up amounts shall not be included for such purposes, absent a specific intent to do so that is stated in writing as part of the board policy, collective bargaining terms or other contractual authorization for the fringe benefit pick up.

Section 4. The District shall fulfill its income tax reporting and withholding responsibilities for each employee in such manner as is required by applicable federal, state and local laws and regulations as they may exist at the time of such reporting and withholding. It is the District's understanding that the no picked up amount pick up is currently subject to any federal or state income taxes; and that with respect to a pick up done under the salary reduction pick up method, federal and Ohio income tax laws and regulations presently require it to report as an employee's gross income his total annual salary less the amount of the salary reduction pick up (i.e. his cash salary), while applicable federal employment tax laws (e.g. the Medicare tax) and Ohio municipal income tax law require it to report as an employee's gross income, his total annual salary including the amount of the salary reduction pick up.

Section 5. The Treasurer is hereby directed to take all acts necessary and appropriate to ensure the continued implementation of this resolution, including but not limited to, making applications to the Internal Revenue Service and the boards administering the STRS and SERS programs to determine the requirements of the Internal Revenue Service and such boards in connection with such pick up plan.

Section 6. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Board and of any committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

11. Other

MOTION_____ SECOND_____ AB_____ JB_____ RS_____ DS_____ JS_____

C. Administration, Superintendent of Schools

1. PERSONNEL

A. Recommendation to Let The Records Reflect the Following Certified Staff be Issued a New 2 Year Contract Instead of a 1 Year for 2009-2010:

Julie Poling, Marie Reeves, Andreha O'Donnell

B. Recommendation to Approve Classified Substitutes for 2009-2010:

David Sluga Bus Driver \$16.64/hour

Pam Klann Cafeteria \$11.70/hour \$11.94/hour (cashier)

C. Recommendation to Approve Additional Pay of \$1,000.00 for Kim Crawford, 6th Grade Camp Nurse, to be paid from 6TH Grade Camp Funds.

D. Recommendation to Approve FMLA Leave for KES Teacher Elizabeth Miller for the 2009-2010 School Year

E. Recommendation to Approve FMLA Leave for KES Teacher Bob Lasecki, September 2, 2009 – October 1, 2009

F. Recommendation to Approve a 2 Year Contract for Ted Roseberry, Transportation/Maintenance Supervisor

G. Recommendation to Approve Jennifer Wendel, Part-Time KHS Spanish Teacher for 2009-2010, BA-0, \$14,160.00

H. Recommendation to Approve John Scott, Part-Time KHS Social Studies Teacher for 2009-2010, MA-0, \$24,804.00

I. Other

* Employment of personnel recommended for Board approval is contingent upon candidate compliance with all local, state and federal employment requirements/statutes and Board Policies 3121/4121, and any certification/licensure requirements.

* Employment as a coach, or permission to act as a volunteer coach, is contingent upon the candidate's compliance with all local, state and federal law, any and all applicable Board Policies and any applicable state certification/licensure requirements, including possession of a valid Pupil Activity Permit during the entire term of the coaching contract/volunteer period.

MOTION_____ SECOND_____ AB_____ JB_____ RS_____ DS_____ JS_____

3. NEW BUSINESS

A. Recommendation to Approve Early Retirement Incentive Plan with KEA for 2009-2010

B. Recommendation to Approve Student Fees/Handbooks

C. Recommendation to Approve Construction Change Orders:

Lakeland Management Systems, Inc.

Credit for not seeding graded areas around new elementary addition

Total deduct: (\$800.00)

- D. Recommendation to Approve BSC Construction for Construction Renovations
Base Bid: \$179,255
KES Main Office, KES Media Center, KES Clinic, KMS Exterior Stairs
Alt. 1: \$42,861
KES Staff Restrooms
Alt. 2: \$33,341
KES Teacher Lounge
Alt. 3: \$25,228
KES Music Room
Alt. 4: \$16,645
Renovate Existing Elementary School Restrooms
Alt. 5: \$65,880
KHS Student Exterior Patio
Alt. 6: \$13,673
KHS Trophy Case
Alt. 7: \$4,779
Renovate Existing KES Restrooms
Alt. 8: \$8,349
Renovate KES Art Room
Alt. 9: \$9,801
KES Main Office Air Conditioning
Alt. 10: \$13,009
KES Teacher's Lounge Air Conditioning
E. Recommendation to Approve New Textbooks and New Courses of Study
F. Other

MOTION_____ SECOND_____AB_____JB_____RS_____DS_____JS_____

4. OLD BUSINESS
A. Other

MOTION_____ SECOND_____AB_____JB_____RS_____DS_____JS_____

- V. * REQUESTS FOR PUBLIC HEARING REGARDING NON AGENDA ITEMS

- VI. REQUEST TO ADJOURN TO EXECUTIVE SESSION – Contract Negotiations

MOTION_____ SECOND_____AB_____JB_____RS_____DS_____JS_____

- VII. ADJOURNMENT

MOTION_____ SECOND_____AB_____JB_____RS_____DS_____JS_____

*In order for the Board to fulfill its obligation to complete the planned agenda in an effective and efficient fashion, public participation is permitted at each meeting at discretion of the Board President.

Each person addressing the Board gives their name and address. If several people wish to speak, each person is allotted 5 minutes to speak at the discretion of the Board President. 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.