

Kirtland Board of Education Regular Meeting October 26, 2009

The Regular Meeting of the Kirtland Board of Education was held at the Kirtland Administrative Building on October 26, 2009. Mr. Balazs called the meeting to order at 7:00 p.m., with the following members answering the roll: Mr. Balazs, Mr. Bodmer, and Mrs. Sohngen. Mr. Schenosky and Mr. Skeggs were absent. Dr. Lipinski attended the meeting.

Also in attendance: Lorraine O'Brien, Susan Timko, Tim Kehres, Tim & Jeanette Blankenship, Jen Schneider, Mary Cubela, Royal Brettrager, Keith McCrory, Chris Lunka, Gerald & Carleen Shetler, Rob Anderson, Tom Meyer, Tom Neibecker, Jackie Meyer, Tom Christopher, Cliff Novak, Elaine Delciappo, Dave Kappele.

Mrs. Timko asked why Mr. Schenosky and Mr. Skeggs were not at the meeting. Ms. Herrmann said they were out of town. Mrs. Timko asked if items were to be voted upon that were not on the agenda. Dr. Lipinski said the board would be voting to approve the Close-Up trip to Washington D.C.

Mr. Novak explained Close-Up trip is designed to show students how government works from behind the scenes. He said the program allows students to interact with government employees and some students have gotten internships in Washington D.C. based upon those contacts. Mr. Novak said students earn funds to pay for the trip by working at the Strawberry Festival and the winter concession stand. Dr. Lipinski said that any adult volunteers on the trip are fingerprinted and are required to enforce school rules. Mr. Novak said there are 2 chaperones for every 10 students. He said the trip will be in April or May depending upon when senior projects are due.

Mr. Christopher read a letter to the board regarding the performance appraisals of the superintendent and treasurer and said he didn't think it was appropriate that raises be granted at this time since the state is investigating the district. He said to his knowledge no performance appraisals had been done or a salary survey of comparable school districts.

Mrs. Blankenship said she was dismayed to see the board was adjusting the salary of Dr. Lipinski and Ms. Herrmann since complaints have been filed against the district. She said things have been wrong in special education for a long time; the board has done nothing and has ignored opportunities to fix the system. Mrs. Blankenship asked the board to wait until the investigation is concluded, and if the two are cleared retroactive raises can be given at that time.

Mr. Kehres said his son's civil rights were violated by Dr. Lipinski, as Dr. Lipinski talked with others about his son's 504 plan and he understands an investigation is underway

regarding another parent complaint regarding confidentiality. He requested the board delay changing Dr. Lipinski's salary until the investigation is concluded.

Mrs. Timko said it has taken her more than 200 hours to gain access to curriculum information. Mrs. Meyer said if residents in the community have to tighten their belts the school board does too.

It was moved by Mrs. Sohngen and seconded by Mr. Bodmer that the following resolution be adopted:

Resolution #46-2009

- A. Recommendation to Approve Minute Transcripts for:
Special Meeting of September 28, 2009
- B. Recommendation to Approve Financial Statements for:
September 2009

Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

It was moved by Mr. Bodmer and seconded by Mrs. Sohngen that the board enter executive session at 7:40 p.m. to discuss personnel compensation. Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

It was moved by Mr. Bodmer and seconded by Mr. Balazs that the board return from executive session at 7:45 p.m. Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

Mr. Balazs said the administrator salary adjustments included a 3% cost of living adjustment that all district employees received and a 1% merit raise based upon performance. Mrs. Sohngen said investigations are being done by the state but the district has had no communication from the state and has no idea what the time frame is for the completion of the investigations. She said this salary adjustment is for the last 12 month period and if any fault is found the board will deal appropriately at that time.

Mrs. Sohngen said board members all gave input to the performance reviews and the 1% merit is tied to performance. She said she doesn't agree with the 1% merit for Dr. Lipinski. Mrs. Sohngen said there has been great success on some issues but some of the principals received a .25% raise and she is not comfortable giving the superintendent 1%. Mr. Bodmer said the merit raise is 90% based upon work on the construction project as the district saved money by not hiring a construction manager. Mr. Balazs said the performance reviews did look at more than just construction management. Mrs. Sohngen asked that the raises for Dr. Lipinski and Ms. Herrmann be separated into two motions.

It was moved by Mr. Bodmer and seconded by Mr. Balazs that the following resolution be adopted:

Resolution #47-2009

- A. Recommendation to Approve Salary Adjustment for 2009-2010, effective August 1, 2009:
Stan Lipinski \$131,647.00

Roll Call: Ayes: Mr. Balazs, Mr. Bodmer. Nays: Mrs. Sohngen.

It was moved by Mr. Bodmer and seconded by Mrs. Sohngen that the following resolution be adopted:

Resolution #48-2009

- A. Recommendation to Approve Salary Adjustment for 2009-2010, effective August 1, 2009:
Deborah Herrmann \$94,489.00

Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

It was moved by Mr. Bodmer and seconded by Mr. Balazs that the following resolution be adopted:

Resolution #49-2009

- A. Recommendation to Approve the Five Year Forecast

Ms. Herrmann said the forecast reflected the salaries of all current staff and no additional staff is budgeted in the forecast. She said a decrease in property taxes is projected due to a potential decrease in property values and state revenues are estimated at a level amount for the next five years. Ms. Herrmann said if the assumptions in the projections hold up the district will not need to ask the voters for additional tax dollars until 2011 and she has estimated the district would need a 5.5 mill levy to avoid a deficit in 2014.

Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

It was moved by Mrs. Sohngen and seconded by Mr. Bodmer that the following resolution be adopted:

Resolution #50-2009

- A. Recommendation to Approve the Following Supplement Contracts for 2009-2010:
- | | | |
|------------------|-------------------|----------|
| Greg Cosimi | FIRST Lego League | \$755.20 |
| Heidi Grunenberg | FIRST Lego League | \$755.20 |
- B. Recommendation to Approve the Following Service Contracts for 2009-2010:

WHEREAS, ORC 3313.53, effective March 30, 1980, allows boards of education to employ non-certificated personnel to fill coaching positions; and

WHEREAS, these positions have been made available to our certified staff and have been advertised using normal procedures; and

WHEREAS, the superintendent has not been able to recommend certified personnel for these positions.

NOW THEREFORE, BE IT RESOLVED that the following people/persons be employed in the specified position.

Dan Allie	Band Camp	\$921.34
Deron Sohngen	FIRST Lego League Volunteer	\$.00
Mike Rudder	FIRST Lego League Volunteer	\$.00
Eric Ziegler	8 th Grade Boys Basketball	
	Salary prorated	

- C. Recommendation to Approve the Following Classified Substitute for 2009-2010:
Ronald Munk, Custodian, effective 10-15-09
- D. Recommendation to Approve John Scott as Home Instruction Tutor for 2009-2010, \$38.48/Hour, effective 10-26-09

Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

It was moved by Mr. Balazs and seconded by Mr. Bodmer that the following resolution be adopted:

Resolution #51-2009

- A. Recommendation to approve the following volunteers:
- | | | |
|---------------|-----------------------------|-------|
| Deron Sohngen | FIRST Lego League Volunteer | \$.00 |
| Mike Rudder | FIRST Lego League Volunteer | \$.00 |

Roll Call: Ayes: Mr. Balazs, Mr. Bodmer. Mrs. Sohngen abstained.

It was moved by Mrs. Sohngen and seconded by Mr. Balazs that the following resolution be adopted:

Resolution #52-2009

- A. Recommendation to Adopt State Special Education Policies and Procedures
- B. Recommendation to Approve KMS Trips for 2009-2010:
6th Grade Camp – June 1, 2010-June 4, 2010

7th Grade Chicago Tour – May 26, 2010-May 28, 2010
8th Grade Washington Tour – May 25, 2010-May 28, 2010

C. Recommendation to Approve 2009-2010 HS Close-Up Trip

Dr. Lipinski recommended the district adopt the state special education policies rather than have the district write it's own. He said the fees for the middle school trips will decrease from the amounts charged last year. Mr. Balazs asked how much the special education policies have changed from current policies. Dr. Lipinski said the state policy reflects the basic concepts the district is using and he will get a list of the differences for the board by the next meeting.

Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

Mrs. Blankenship said the News-Herald ran an article on September 24 that stated district personnel were subpoenaed in the investigation of the complaints filed against the district. She asked who was subpoenaed. Mrs. Sohngen said she did receive a subpoena. Mr. Balazs said the matter is pending litigation and the board can't discuss it. Dr. Lipinski said since the investigation could result in litigation it would not be appropriate to discuss the matter.

Mr. Christopher read another letter to the board and stated it was a conflict of interest for the district's attorney to represent employees that are named in the state investigation. Mr. Balazs said the district does not know what employees are named in the complaints.

Mr. McCrory asked when the five year forecast showed a deficit occurring and what millage was needed. Ms. Herrmann said with out a new levy the district would have a deficit in 2014 and a tax levy of 5.5 mills would be needed. Mrs. Timko asked about the district policy on gifted education and what assurances there are that all identified gifted students receive any and all services available. Dr. Lipinski said the district was in compliance with policy.

Mrs. Blankenship asked how the district could not know who was named in the complaints filed with the state. Ms. Herrmann said no copies of the complaints were sent by the state to board members through the board office and complaints were filed with the state and not the district.

Mr. Anderson said the class pictures had been removed from the high school hallways and wanted to know when they would be put back up. Mr. Bodmer said the pictures were rehung last Friday. He said the pictures are in the hallway by the HS gym and the new hallway to the band room.

Mrs. Shetler said she heard that in the new special education policies the staff who sit in IEP meetings are the people that determine if a student gets an IEP. Dr Lipinski said a team of educators look at data to determine if a student qualifies for an IEP. He said the

parents have the right to disagree with the team decision and they have the right to appeal any decision.

Mrs. Lunka and Mrs. Schneider both said they were concerned with the class sizes in 3rd grade. Mrs. Lunka said there were 26 or 27 students in each class and that is above the district average. She said that there are too many students in the room to get a quality education and she would like the teachers to receive additional help.

Mr. Anderson asked who does performance reviews of administrators. Mr. Balazs said he chairs the board's personnel committee and he gets feedback from other board members to complete the review. Mrs. Blankenship asked if the district has a rule that requires teachers to respond to e-mail within a certain period of time. Dr. Lipinski said he hoped staff would answer e-mail within 24 hours. Ms. Herrmann said with the filtering software the district uses some e-mails get spammed by the district's software. Mrs. Shetler said it took her 2 days to get a reply from a staff member and one had not gotten back to her after a week. Mr. Kehres asked how this should be addressed and Dr. Lipinski said a building principal would want to know if staff hadn't responded.

Mr. Brettrager said many teachers are not keeping current in entering grades. Dr. Lipinski said staff are expected to enter grades within a week. Mrs. Delciappo said as of Sept. 23 there were 11 items from one of her children that hadn't been entered. She said it appears as if some teachers don't know how to enter grades in the computer system. Mrs. Blankenship said she knows the middle staff does enter grades promptly and it was new for the high school staff last year, but they are still not there yet. Dr. Lipinski said parents should contact building principals with their concerns.

Mr. Kehres said this is the third month he has heard concerns about staff not entering grades and he said the district might need a policy to get teachers to do the entries. Mr. Christopher said he would like a copy of minutes from previous years regarding administrator salaries. Ms. Herrmann asked him to send her an e-mail to remind her and she would get them to him.

Mr. Christopher asked what the district policy was on building hours. Dr. Lipinski said the expectation is no one should be in the school buildings from 10:30 p.m. to 5:45 a.m. Mr. Christopher asked if it was unusual for teachers to be in the buildings after 7 p.m. or weekends. Mr. Balazs said many teachers are here late, particularly after sports contests.

Mr. Christopher said he has seen Mr. Pilewski here late and seen other teacher's cars here after 10 p.m. He said the district needs to look into what teachers are doing here late at night and doesn't think the district should be subsidizing teacher lodging. Mr. Balazs said the board would look at the policy.

Mrs. Shetler said the building principals are not usually at board meetings and asked if there is policy not to have them attend board meetings. Mr. Bodmer said principals have not regularly attended meetings since he has been on the board. Mr. Balazs said the

district is evaluating other district's board meetings and that is something that might be incorporated into the meetings.

Mr. Meyer asked if the 5 year forecast was posted on-line. Ms. Herrmann said it should be on the Ohio Department of Education website by the end of the week. Mr. Meyer asked if levy renewals were built into the forecast. Ms. Herrmann said yes, the district has emergency levys to renew in 2011, 2012 and 2013.

Mrs. Meyer said she thinks the district needs to think about wage freezes and tighten its belt. She said that people will move out of town to where the taxes are cheaper as seniors on Social Security aren't getting a raise in 2010. Mr. Balazs said union contracts are coming up for negotiations in the next two years and there will also be new board members. He said the state is trying to change school districts reliance on property taxes, however new mandates from Columbus haven't reduced the cost of education.

Mrs. Sohngen said she understands many in the community are not getting pay raises and the district does not want to over pay or under pay people compared to other districts in the area. She said the district is working with the Alliance, a group that is lobbying on behalf of Kirtland and similar districts. Mr. Neibecker said Mr. Christopher's letter said appraisals have not been done of the superintendent and treasurer yet the public heard tonight that the appraisals had been done. Mr. Neibecker asked Mr. Christopher if he would correct his letter and Mr. Christopher said he would when he received a copy of the appraisals. Mr. Balazs said the written performance appraisals could be made available to Mr. Christopher the next day.

It was moved by Mr. Balazs and seconded by Mrs. Sohngen that the board enter executive session at 8:42 p.m. to discuss pending litigation. Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

It was moved by Mr. Balazs and seconded by Mrs. Sohngen that the board return from executive session at 8:49 p.m. Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

Dr. Lipinski questioned how to respond to incorrect statements made by the public. He referenced an e-mail sent by a parent regarding a 504 breach of confidentiality complaint. Mrs. Sohngen suggested that the district respond to any factual inaccuracies, written or verbal, and not to respond to statements of opinion. Mr. Balazs and Mr. Bodmer agreed that the district should try to correct factual inaccuracies.

Mrs. Sohngen suggested an e-mail response be sent to the parent explaining that the breach of confidentiality complaint regarding a 504 was made against the district and not an individual board member. Dr. Lipinski stated that the complaint was not made against the district. Mr. Balazs said that since the district was responsible for maintaining the confidentiality of the records, then any breach would be the direct responsibility of the district.

October 26, 2009
Regular Meeting

Dr. Lipinski said Mr. Kehres had stated during the public board meeting that he believed Dr. Lipinski had violated his son's civil rights and Mr. Kehres did not believe that the district had investigated his complaint appropriately. Dr. Lipinski said that this was an inaccurate statement and that he had never seen the 504. Mrs. Sohngen questioned whether Dr. Lipinski should have been discussing this 504 with Mrs. Brach. Dr. Lipinski said he was discussing an issue with the process, not the specific 504. Mrs. Sohngen said she believed her discussion with Dr. Lipinski did include specific references to the 504. Mr. Balazs agreed to talk to OSBA to determine the rules for allowing the district compliance officer to discuss a 504 with the superintendent.

There being no further business before the board it was moved by Mr. Balazs and seconded by Mrs. Sohngen that the meeting be adjourned at 9:28 p.m. Roll Call: Ayes: Mr. Balazs, Mr. Bodmer, Mrs. Sohngen.

We, the undersigned, do hereby certify that the above and foregoing is a true and exact copy of the proceedings that were held on the above aforementioned date.

Signed this _____ Day of _____, 2009.

President

Treasurer