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# RECORD OF PROCEEDINGS

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**MINUTES OF FEBRUARY 13, 2017 6:00 PM  
BERKSHIRE BOARD OF EDUCATION**

**REGULAR MEETING  
BERKSHIRE BOARD OF EDUCATION**

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\* The Board of Education recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

*In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public participation at every public meeting of the Board and publish rules to govern such participation. These rules are available at each Board meeting. Anyone desiring to speak is asked to make this request in advance. Participants must be recognized by the presiding officer. Comments shall be directed to the presiding officer; not to Board members individually. Board Bylaw 0169.1*



## PLEDGE OF ALLEGIANCE

**Roll Call:** Mr. Boyd, Mrs. Brown, Mr. Manfredi, Mrs. Raikes, Mr. Wadsworth-present

Motion made by Mr. Wadsworth, seconded by Mrs. Brown to approve the current Agenda and minutes of January 9<sup>th</sup> organizational and regular meeting and January 30<sup>th</sup> special meeting, February 6<sup>th</sup> special meeting and February 7<sup>th</sup> meeting..

Discussion: None

Roll Call: All Ayes

Motion Carried.

Recognition of Jon Courtney and Dayna Rakoczy, Berkshire High School's Americanism Test winners and state champions.

### **Treasurer's Report:**

Let the records reflect that – The Treasurer has submitted a statement to the board and to the Superintendent showing the revenues and receipts from whatever sources derived, the various appropriations made by the board, the expenditures and disbursements therefrom, the purposes thereof, and the balances remaining in each fund. The financial statements for the period ending **January, 2017** submitted subject to audit and include: Financial Summary, Appropriations and Revenue Summary, Check Register Recap, and Bank Reconciliation per *ORC 3313.29*.

### **Ohio Schools Council Cooperative Bus Purchase**

Motion made by Mr. Wadsworth, seconded by Mr. Manfredi to participate in the 2017/2018 Ohio Schools Council Cooperative School Bus Purchased Program and authorizes the Ohio Schools Council to advertise and receive bids on behalf of the Berkshire Board of Education as per the specifications submitted for the cooperative purchase of two (2) 72 passenger conventional school bus chassis and body.

Discussion: None

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Roll Call: All Ayes  
Motion Carried.

## **Leighton Trust**

Motion made by Mrs. Brown, seconded by Mr. Boyd to authorize the Treasurer to sign the *Waiver of Notice of Hearing on Account* for the Frances Spatz Leighton Trust.

Discussion: None

Roll Call: All Ayes  
Motion Carried.

## **Donations:**

Motion made by Mr. Manfredi, seconded by Mr. Wadsworth to accept the donation of \$800.00 from the Ledgemont Boosters to the Ledgemont Principals Fund.

Discussion: Mr. Manfredi asked that a thank you letter be sent.

Roll Call: All Ayes  
Motion Carried.

## **Vocational Report**

Mr. Miller reported that they are in the process of hiring a Superintendent to replace Margaret Lynch who will be retiring effective June 30, 2017. He also reported that they are working to make College Credit Plus more accessible to students at Auburn.

## **Committee Reports**

Mr. Delong reported that at the Administration meeting they have begun discussing staffing needs for next year. The District Technology meeting is scheduled for February 22<sup>nd</sup> and the Permanent Improvement meeting is scheduled for February 15<sup>th</sup>.

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Superintendent's Report and Recommendations

**Certified:**

Motion made by Mr. Wadsworth, seconded by Mrs. Brown to accept the resignation of Stephen Reedy as of June 30, 2017.

Discussion: Mr. Manfredi thanks Mr. Reedy for his service and for always being a proponent of the children.

Roll Call: All Ayes  
Motion Carried.

Motion made by Mr. Manfredi, seconded by Mr. Boyd to approve the following salary schedule changes effective January 23, 2017:

- Kimberly Mele from Level III Step 1 to Level IV Step 1

Discussion: None

Roll Call: All Ayes  
Motion Carried.

Motion made by Mrs. Brown, seconded by Mr. Wadsworth to approve Katherine Chrzan as a substitute nurse for the 2016/2017 school year. All paperwork is on file.

Discussion: None

Roll Call: All Ayes  
Motion Carried.

Motion made by Mrs. Brown, seconded by Mr. Manfredi to approve the following supplemental contracts for 2016/2017:

- |                  |                                  |
|------------------|----------------------------------|
| • Josh DeWeese   | Strength Training Coach - Spring |
| • Brian Hiscox   | Head Baseball Coach              |
| • Kelsey Kempert | Junior High Track Coach          |
| • David List     | Assistant Softball Coach         |

Discussion: None

Roll Call: All Ayes  
Motion Carried.

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## **BERKSHIRE LOCAL SCHOOL DISTRICT RESOLUTION TO INITIATE PROCEEDINGS FOR THE TERMINATION OF THE EMPLOYMENT CONTRACT OF MICHAEL COLABUNO**

Motion made by Mr. Manfredi and Mr. Wadsworth seconded the adoption of the following Resolution:

WHEREAS, Michael Colabuno (“Mr. Colabuno”) is currently employed by the Board of Education of the Berkshire School District (“Board”) as a teacher under a limited contract issued pursuant to Ohio Revised Code Sections 3319.08 and 3319.11; and

WHEREAS, Mr. Colabuno, as a teacher, has the responsibility to abide by applicable State and Federal laws, and the reasonable and lawful directives of his supervisors; and

WHEREAS, in the execution of his professional duties, Mr. Colabuno is expected to establish and maintain effective communication with both students and staff and to develop and maintain a relationship of mutual respect and dignity between staff and students, which is critical to the proper functioning of the school community; and

WHEREAS, Mr. Colabuno has the responsibility to be familiar with and abide by the Board’s Policies, including the requirement to follow the Board’s educational philosophy, educational goals and objective, staff conduct/ethics, and student supervision and welfare policies, and corresponding administrative regulations; and

WHEREAS, recent allegations have been made concerning Mr. Colabuno’s inappropriate conduct, including unprofessional behavior and misconduct concerning his involvement in creating and posting a video in which he released confidential, personally identifiable information about students, used profane and vulgar language, and discussed wanting to physically harm students; and

WHEREAS, said concerns with respect to Mr. Colabuno’s conduct and performance have been thoroughly investigated by administrators and agents of the Board; and

WHEREAS, Mr. Colabuno was assigned to home, with pay, effective immediately on November 21, 2016; and

WHEREAS, Mr. Colabuno’s conduct has impaired his relationship with the District, as well as the trust and respect of his supervisors, and demonstrates that he does

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not possess the character, morals or integrity required of a person employed to teach children; and

WHEREAS, as a result of the above, the Superintendent has recommended that the Board initiate proceedings to consider whether Mr. Colabuno's employment contract should be terminated and the Superintendent has further determined the character of the charges warrants that Mr. Colabuno be suspended without pay or benefits pending the outcome of termination proceedings; and

WHEREAS, the Superintendent has provided Mr. Colabuno with a full specification of the grounds for such consideration by providing Mr. Colabuno and his labor representative with a draft copy of this Resolution and the "Full Specifications of the Grounds for Consideration of Terminating the Contract of Michael Colabuno," attached hereto as Attachment 1, on December 20, 2016; and

WHEREAS, Mr. Colabuno, with the assistance of labor representation, was provided a full opportunity to respond to the grounds here specified by rebutting same or otherwise explaining his actions on that same date; and

WHEREAS, based upon the internal investigation of the totality of the alleged misconduct at issue, the Board finds that Mr. Colabuno engaged in the conduct identified within Attachment 1, attached hereto and incorporated herein by reference; and

WHEREAS, the Board has considered the recommendation of the Superintendent, submitted after the Superintendent had a full opportunity to consider all of the facts and circumstances of this matter:

NOW THEREFORE, BE IT RESOLVED by the Board of Education of the Berkshire Local School District that:

1. The Board hereby determines to immediately initiate proceedings for the termination of the employment contract of Michael Colabuno based on the grounds specified in this Resolution and the "Full Specifications of the Grounds for Consideration of Terminating the Contract of Michael Colabuno," attached hereto and incorporated fully herein, which constitute separate, distinct and independently sufficient grounds for termination of employment. Each act is in contravention of Ohio Revised Code § 3319.16 and, standing alone and/or together, constitutes good and just cause for contract termination.
2. The character of the conduct described above is such that it warrants the immediate suspension of Mr. Colabuno's employment contract, and therefore

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Mr. Colabuno, pursuant to Ohio Revised Code § 3319.16, is suspended without pay or benefits effective 12:01 a.m. on February 14, 2017, pending final action by the Board to consider termination of his employment contracts.

3. The Board authorizes and directs the Treasurer to provide Mr. Colabuno with written notice, signed by the Treasurer, of the Board's intention to consider the termination of his limited contract for good and just cause pursuant to Section 3319.16 of the Ohio Revised Code. Said written notice shall include this Resolution and attach the "Full Specification of Grounds for Terminating the Employment Contract of Michael Colabuno" detailing the grounds upon which consideration of his contract termination shall be based.

4. The Board shall proceed with such termination at a meeting on March 6, 2017, unless Mr. Colabuno files a written demand with the Treasurer for a hearing before the Board within ten (10) days after receipt of the Treasurer's notice, in which case a hearing shall be held pursuant to the provisions of Ohio Revised Code Section 3319.16 and 3319.161.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal action of this Board concerning and/or relating to the adoption of this Resolution was taken in an open meeting of this Board and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Discussion: None

Roll Call: Mrs. Raikes-aye, Mr. Wadsworth-aye, Mr. Boyd-aye, Mrs. Brown-aye, Mr. Manfredi-aye  
All Ayes  
Motion Carried.

**Classified:**

Motion made by Mr. Wadsworth, seconded by Mrs. Brown to approve the following supplemental contracts for 2016/2017:

- |                 |                          |
|-----------------|--------------------------|
| • Nick Burzanko | Assistant Baseball Coach |
| • Mark McClain  | Junior High Track Coach  |
| • Leroy Moore   | Assistant Softball Coach |

Discussion: None

Roll Call: All Ayes  
Motion Carried.

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Motion made by Mr. Manfredi, seconded by Mr. Boyd to accept the resignation of Justin Smetana as Assistant Baseball Coach.

Discussion: None

Roll Call: All Ayes

Motion Carried.

Motion made by Mr. Wadsworth, seconded by Mr. Manfredi to approve the following volunteers for the 2016/2017:

- Justin Smetana          Baseball Coach

Discussion: None

Roll Call: All Ayes

Motion Carried.

Motion made by Mr. Wadsworth, seconded by Mrs. Brown to approve Nichole Toomey as a substitute for the Latchkey program, effective as of January 5, 2017, for the 2016/2017 school year at the hourly rate of \$8.15.

Discussion: None

Roll Call: All Ayes

Motion Carried.

## **Business:**

Motion made by Mr. Manfredi, seconded by Mr. Boyd to approve the following certified staff to dispense medication during the 8<sup>th</sup> Grade Class Trip.

- Rich Guthrie
- Josh DeWeese
- Kelsey Kempert
- Jennifer Ray
- Tracy Rea
- Shannon Moore

Discussion: None

Roll Call: All Ayes

Motion Carried.

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Motion made by Mrs. Brown seconded by Mr. Wadsworth to approve the 2017/2018 High School course selection guide.

Discussion: None

Roll Call: All Ayes  
Motion Carried.

Motion made by Mr. Manfredi seconded by Mr. Wadsworth to approve the 2017/2018 Junior High School course selection guide.

Discussion: None

Roll Call: All Ayes  
Motion Carried.

Motion made by Mrs. Brown seconded by Mr. Boyd to approve Sixth Grade Camp at 4-H Camp Whitewood (Windsor, Ohio) from May 9 to May 12, 2017.

Discussion: None

Roll Call: All Ayes  
Motion Carried.

Motion made by Mr. Wadsworth seconded by Mr. Manfredi to approve the 2017/2018 school calendar.

Discussion: None

Roll Call: All Ayes  
Motion Carried.

Motion made by Mrs. Brown, seconded by Mr. Boyd to approve Inter-District Open Enrollment Form for the 2017/2018 school year:

Discussion: None

Roll Call: All Ayes  
Motion Carried.



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Motion made by Mr. Manfredi, seconded by Mr. Wadsworth to approve Intra-District Open Enrollment Form for the 2017/2018 school year:

Discussion: None

Roll Call: All Ayes

Motion Carried.

Motion made by Mrs. Brown, seconded by Mr. Boyd to approve the second reading for the following NEOLA Policies New/Revisions/Deletions:

9700

Discussion: None

Roll Call: All Ayes

Motion Carried.

Motion made by Mr. Wadsworth, seconded by Mr. Manfredi to approve the first reading for the following NEOLA Policy Revision:

9270

Discussion: None

Roll Call: All Ayes

Motion Carried.

Motion made by Mrs. Brown, seconded by Mr. Manfredi to approve the following agreements for College Credit Plus services for the 2017/2018 school year:

- Kent State University
- Lakeland Community College

Discussion: None

Roll Call: All Ayes

Motion Carried.

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Motion made by Mrs. Brown seconded by Mr. Wadsworth to approve the following motion:

WHEREAS, Ohio Revised Code 3318.036 (A) directs the Commission to give school districts that have consolidated two or more school districts in accordance with Section 3311.37 first priority; and

WHEREAS, *Berkshire Local School District* accepted a territory transfer from *Ledgemont Local School District* on July 1, 2015; and

WHEREAS, *Berkshire Local School District* requests to enter into an active planning process to prepare for a possible conditional approval to participate in the CFAP; and

WHEREAS, the School District Board will provide any necessary information to prepare or update the Enrollment Projections; and

WHEREAS, the School District acknowledges the Commission recommendation that the School District engage a design and construction professional to assist in the review of the information presented in the Facilities Assessment Report. The School District has provided any information available to aid in the identification of any areas of concern for conditions, which cannot be readily observed by standard assessment procedures throughout the School District's facilities and the School District acknowledges that the scope of services provided by the professional authoring the Facilities Assessment Report does not include invasive facilities and grounds investigation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the *Berkshire Local School District, Geauga County, Ohio* that the School District wishes to enter into an active planning process to prepare for a possible conditional approval to participate in the Classroom Facilities Assistance Program at the following January 2018 Commission meeting:

Discussion: Mr. Manfredi asked what exactly this would accomplish. Mrs. McCaffrey responded that this was the first step in having Ledgemont Elementary evaluated by the OSFC.

Roll Call: Mr. Manfredi-aye, Mrs. Raikes-aye, Mr. Wadsworth-aye, Mr. Boyd-aye, Mrs. Brown-aye

All Ayes

Motion Carried.

Old Business

Motion made by Mr. Manfredi, seconded by Mr. Wadsworth to correct a clerical error from the reorganizational meeting to change the August meeting from August 7<sup>th</sup> to August 14<sup>th</sup>.

Discussion: None

Roll Call: All Ayes

Motion Carried.

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## **New Business:**

None

## **Building Reports**

Mrs. Randles reported that 4<sup>th</sup> grader Gavin Foye from Burton Elementary placed second in the County Spelling Bee, the 5<sup>th</sup> grade DARE graduation was a success. The Berkshire Elementary PTO sponsored a COSI day and all the students had a great time. A Read a Thon fundraiser is planned. MAP testing has been completed and they are in the process of evaluating the data. The students are busy preparing the for the upcoming Science Olympiad.

Miss Flemming reported that technology integration profession development was conducted at Ledgesmont Elementary. A lockdown drill was held in conjunction with the Thompson PD and it was a success. She reported that they have had a lot of requested tours of the building by potential enrollees for next year. MAP testing has been completed and the DARE graduation was held. The students had a great time at the Snowflake dance and the students are busy preparing the Science Olympiad.

Mr. Reedy reported that the MAP and AIR testing at the high school has been completed. The Jr. High had a PEP assembly that was well received by the students. Junior Career day went well and March 17<sup>th</sup> the Sophomore Career day will be held. March 3<sup>rd</sup> the AC4P group from Virginia Tech will be hosting 75 students from Mentor, Crestwood, Orange, Chardon and Berkshire. 58 students attending the 4.0 luncheon. Student handbooks are ready to go out for the upcoming school year.

## **Open Public Participation**

Mr. Miller asked in the ratio of in and out open enrolled students was in a positive ration. Mr. Delong stated no that we have more out than coming in. Mr. Miller asked what the OSFC motion would accomplish. It was explained that this is the first step in getting the Ledgesmont property evaluated for potential funding from OSFC.

Mrs. Wilkes, a parent, asked if a plan was in place for the special education classroom. Mr. Delong stated that a plan was in place. Mrs. Wilkes expressed concern over her son's schedule. Mr. Delong reported that he would review the schedule and get back to her. Mrs. Wilkes asked if there were Science Olympiad opportunities at the high school. Mr. Delong stated that they have not had a teacher willing to lead this group.

## **Board Discussion:**

Mrs. Raikes asked what the status of the Ledgesmont pictures were. Mr. Manfredi stated that he would follow up with the Art Teacher regarding evaluation of the pictures. Mrs. Raikes asked why the change in voting was taking place. Mr. Manfredi stated that it was his discretion to conduct the meeting and that

