

**REGULAR MEETING
THE BOARD OF EDUCATION OF
YOUNGSTOWN CITY SCHOOL DISTRICT
YOUNGSTOWN, OHIO**

20 West Wood Street

January 12, 2010

The Youngstown Board of Education met in regular session at the I.L. Ward Building on January 12, 2010. President Anthony Catale called the meeting to order at 5:30 p.m. The meeting opened with the Pledge of Allegiance followed by a moment of silence. Roll call was taken with the following board members in attendance:

Members present: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum
Members absent: None

STUDENT BOARD MEMBERS

Members present: Cook, Bennett, Vanwright
Members absent: None

President Catale welcomed Deborah Delisle, superintendent of public instruction, state board president, Deborah Cain and chief operating officer, Francis Pompey.

PRESENTATION

Steve Ludwinski, project director Heery/AMEC/G. Stephens, Inc. presented updated information on the OSFC construction project noting that Wilson Middle School is the last building to be constructed with a possible spring completion.

Board members discussed agenda items.

PRESENTATION

Penny Senyak, chief executive officer for ONTASC and Beverly Schumann, director of instruction presented updated information regarding the District's Strategic Plan.

Caucus adjourned at 6:23 p.m.

The regular portion of the meeting reconvened at 6:32 p.m.

APPROVAL OF AGENDA

As the first item of business, Mr. Catale called for a motion approving the agenda. Mr. Beachum moved that the agenda be approved with any necessary corrections and the

deletion of Resolution No. 8-10 regarding the asbestos abatement contract for Adams School and the addition of Resolution No. 12-10 objecting to the proposed amendment to the Financial Planning and Supervision Commission Recovery Plan and Resolution No. 13-10 regarding the retention of legal counsel. It was seconded by Mr. Murphy. On roll call vote the results were as follows:

Ayes: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum

Nays: None

Motion carried, and the agenda was approved as amended.

APPROVAL OF MINUTES

Mr. Beachum moved, seconded by Ms. Drennen that the minutes of the regular board meetings of November 17, 2009; November 24, 2009 and December 8, 2009 along with the minutes of the special meetings of November 5, 2009; November 18, 2009; November 23, 2009 and December 7, 2009 be approved as presented. On roll call vote the results were as follows:

Ayes: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum

Nays: None

Motion carried, and minutes were approved as presented.

President Catale introduced Deborah Delisle, superintendent of public instruction. Ms. Delisle presented a letter to Dr. Webb and Mr. Catale regarding the formation of the Youngstown City School District Academic Distress Commission. She stated the rulings of Ohio Revised Code Section 3302 establishing the Commission.

Dr. Webb explained why the District has had a problem receiving Race to the Top funds.

COMMUNICATIONS

There were no oral or written communications.

CITIZEN PARTICIPATION

President Catale called for citizen participation. Jennifer Lewis and Cecil Monroe addressed the Board.

COMMITTEE REPORTS

President Catale introduced the 2010 committee chairs as follows:

Michael Murphy, Business/Non-Instructional/Non-Certified Committee
Rachel Hanni, Certificated Personnel/Community Relations Speakers

Bureau Committee
Andrea Mahone, Legal/Legislative/Policy Committee
Lock P. Beachum, Sr., Finance/Accounting/Investments Committee
Richard Atkinson, Extra Curricular/Sports Committee
June Drennen, Curriculum/Career Tech Committee

The committee chairs recommended passage of various resolutions and noted future committee meeting dates.

STUDENT BOARD MEMBERS

President Catale requested that the new student board members introduce themselves. The student representatives are as follows: Alteeka Vanwright, East High School; D'Treal Bennett, Youngstown Early College and Kaitlyn Cook Chaney.

FACILITIES REPORT

Mr. DeNiro, assistant superintendent of school business affairs, reported that the closeout of the construction project is diligently being worked on. A preliminary meeting with Steve Ludwinski and Gary Kasper will be scheduled and a follow-up meeting will be scheduled with the Facility Committee to bring them up-to-date on closeout information. Also, the demolition of John White Elementary School has been awarded and should begin soon, and the Wilson Middle School construction project is making great progress and should be completed in the spring.

BOARD PRESIDENT'S REPORT

President Catale commented on the following:

- Unified support of the District
- Tough decisions to be made
- Continue to remain to be unwavering as a Board on those decisions
- Ultimate focus and goal is to increase student achievement
- Continue to develop the Strategic Plan

EXECUTIVE REPORTS

Superintendent Webb discussed the following:

- Thanked Humility of Mary for Early Reading Program article about Once Upon a Baby
- Next board meeting the Parent Patrol will give a presentation about the development of the Parent Pathways Institute

NEW BUSINESS

CONSENT AGENDA

Mr. Beachum offered a motion to place Resolution No. 9-10 through Resolution No. 11-10 on a Consent Agenda with Addendum Resolutions No. 12-09 and 13-09 to be voted on separately. Mr. Murphy seconded the motion, and on roll call vote the results were as follows:

Ayes: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum

Nays: None

Motion carried.

Mr. Catale then entertained a motion to adopt the Consent Agenda. Mr. Beachum moved adoption of the Consent Agenda, seconded by Mr. Murphy which included Resolution No. 9-10 through Resolution No. 11-10 summarized as follows:

Ayes: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum

Nays: None

Motion carried.

DEPARTMENT OF HUMAN RESOURCES

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 9-10

**CERTIFICATED PERSONNEL
APPOINTMENTS**

RESOLVED, based upon the recommendation of the Assistant Superintendent of the Human Resources, the following appointments are being accepted for the 2009-10 school year:

APPOINTMENTS

Substitute Teacher (Fund 001) – To be used on an “as needed basis” as follows:

- \$70.00 a day or from day 1 to day 10 if in the same position
- \$75.00 a day from day 11 to day 60 if in the same position
- \$157.64 a day from day 61 to day 184 if in the same position

Jennifer Trigg

Choffin Adult Career Technical Education (Funds 572/501/012) - \$22.05 per hour to be used on an “as needed basis” not to exceed 30 hours per week:

Delinquent (Fund 572 and ABLE (Fund 501)

Taylor Dangler
Lucille Fitch
Michelle R. Haniford
Christine M. Rosebaugh

Adult Education (Fund 012)

Glenda Watson

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum
Nays: None

Motion carried.

1/12/10

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 10-10

**CLASSIFIED PERSONNEL
APPOINTMENTS**

RESOLVED, based upon the recommendation of the Assistant Superintendent of Human Resources, the following appointments are being accepted for the 2009-10 school year:

APPOINTMENTS

Substitute Educational Assistant (Fund 001) – to be used on an “as needed” basis; at an hourly rate of \$7.48; not to exceed 35 hours per week:

Janice Wyckoff

Substitute Bus Driver (Fund 001) – \$10.58 per hour; not to exceed 25 hours per week:

Diane R. Miller

Adult Basic and Literacy Education (ABLE) (Fund 501; Fund 572) – to be used on an “as needed basis” not to exceed 30 hours per week; at \$9.38 per hour:

Para Professionals (non-certificated)

Donna LaCivita

Mary Tatum

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum

Nays: None

Motion carried.

1/12/10

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 11-10

**RESOLUTION TO EMPLOY OUT OF DISTRICT TEACHER
FOR COACHING POSITION**

WHEREAS, the Board of Education of the Youngstown City School District has posted the position of Head Football Coach of Chaney High School as being available to the employees of the District who hold educator licenses issued by the Ohio Department of Education, and no such employee meeting all of the Board's qualifications has applied for, been offered, and accepted such position; and

WHEREAS, this Board then advertised the position as being available to licensed individuals not employed by the District, and the following named person who holds an educator license issued by the Ohio Department of Education and who meets all of the Board's qualifications did apply for, has been offered, and has accepted such position subject to this Board's approval of such employment.

NOW, THEREFORE, BE IT RESOLVED, that James M. Vivo, a licensed educator not employed by the Board as a teacher, shall be employed as the Head Football Coach of Chaney High School for the 2010 interscholastic football season, the duties of which shall begin with spring training of the athletes effective on January 12, 2010, subject to applicable Board policies.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Catale, Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum

Nays: None

Motion carried.

1/12/10

**The Public Schools
Youngstown, Ohio
Board of Education**

RESOLUTION NO. 12-10

**OBJECTING TO THE PROPOSED JANUARY 14, 2010 AMENDMENT TO
THE YOUNGSTOWN CITY SCHOOL DISTRICT
FINANCIAL PLANNING AND SUPERVISION COMMISSION
RECOVERY PLAN**

WHEREAS, the Youngstown City School District was declared to be in the state of fiscal emergency on November 16, 2006, and

WHEREAS, the Board of Education has since worked tirelessly with the Financial Planning and Supervision Commission to reduce its expenditures by more than 32 million dollars, including the reduction of 520 employees, by submitting an annual reduction plan to the Commission, and

WHEREAS, the Board of Education desires to further significantly reduce expenditures in non-instructional areas with a priority on retaining as many jobs as possible, and

WHEREAS, the Board of Education remains committed to maintaining significant savings after such savings are realized, and

WHEREAS, Financial Planning and Supervision Commission of Youngstown Resolutions 039-09 and 043-03 require the Board of Education to spend such savings as a result of absorbing additional authority over the duly elected local representatives of the taxpayers of the Youngstown City School District, and

WHEREAS, the proposed January 14, 2010, Amendment to the Financial Recovery Plan further exceeds the scope and authority of the Financial Planning and Supervision Commission as envisioned by Ohio law; and

WHEREAS, after several attempts at resolving this matter with the Commission in direct interactions, the Commission now is proposing to act to expand its authority beyond the scope of legislative intent and as prescribed in the Ohio Revised Code, and in which such action will increase the transportation expenses of the Youngstown City School District unnecessarily based on arbitrary and capricious rationale.

Resolution No. 12-10 continued

NOW, THEREFORE, IT IS RESOLVED, that the Board of Education hereby objects to the proposed amendment and will forcefully protect its legal rights as the duly elected representatives of the citizens of the Youngstown City School District by retaining qualified legal counsel to do so.

Mr. Beachum moved, seconded by Ms. Drennen that the foregoing resolution be adopted.

Ayes: Catale, Drennen, Hanni, Murphy, Beachum

Nays: Mahone, Atkinson

Motion carried.

1/12/10

**The Public Schools
Youngstown, Ohio
Board of Education**

RESOLUTION NO. 13-10

RETENTION OF SPECIAL LEGAL COUNSEL

WHEREAS, the Youngstown City School District was declared to be in the state of fiscal emergency on November 16, 2006, and

WHEREAS, the Board of Education has since worked tirelessly with the Financial Planning and Supervision Commission to reduce its expenditures by more than 32 million dollars, including the reduction of 520 employees, by submitting an annual reduction plan to the Commission, and

WHEREAS, the Board of Education desires to further significantly reduce expenditures in non-instructional areas with a priority on retaining as many jobs as possible, and

WHEREAS, the Board of Education remains committed to maintaining significant savings after such savings are realized, and

WHEREAS, Financial Planning and Supervision Commission of Youngstown Resolutions 039-09 and 043-03 require the Board of Education to spend such savings as a result of absorbing additional authority over the duly elected local representatives of the taxpayers of the Youngstown City School District, and

WHEREAS, after several attempts at resolving this matter with the Commission in direct interactions, the Commission now is proposing to act to expand its authority beyond the scope of legislative intent and as prescribed in the Ohio Revised Code, and in which such action will increase the transportation expenses of the Youngstown City School District unnecessarily based on arbitrary and capricious rationale, and

WHEREAS, the Board of Education wishes to retain legal counsel to ensure the rights and responsibilities of the Board of Education to the taxpayers of the City of Youngstown are upheld, and

WHEREAS, the Board of Education also wishes to retain legal counsel to provide legal opinion concerning all matters included in Financial Planning and Supervision Commission of Youngstown Resolutions 039-09 and 043-10.

Resolution No. 13-10 continued

NOW, THEREFORE, IT IS RESOLVED that the Youngstown Board of Education hereby retains the legal services of the law firm of Johnson, Miller & Schmitz, LLP, 635 West Lakeside Avenue, Cleveland, Ohio, as the principal of this law firm has successfully represented both the State of Ohio and the Youngstown City School District in the past and have demonstrated unique capabilities to resolve similar legal disputes, and

BE IT FURTHER RESOLVED, the cost of such legal services to the Board of Education shall not exceed \$9,950.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Catale, Drennen, Hanni, Murphy, Beachum

Nays: Mahone, Atkinson

Motion carried.

1/12/10

ADJOURNMENT

There being no further business requiring board action at this time, Mr. Beachum moved that the meeting adjourn. Mr. Atkinson seconded the motion, and upon voice vote all board members voted yes. Mr. Catale announced the meeting adjourned at 7:14 p.m.

President

Treasurer