

To be approved at the Board of Education meeting June 9, 2020

MINUTES OF THE MAY 28, 2020 SPECIAL BOARD OF EDUCATION MEETING.

Boards of Education must weigh the risks associated with the available options for balancing their governance obligations and remaining in compliance with Ohio's Open Meetings Act (OMA) in light of the COVID-19 pandemic and emergency orders put in place for the public's health and welfare. Additionally, with the passage of Ohio House Bill (HB) 197, public bodies have been granted the authority through uncodified language, during the period of the emergency declared by Executive Order 2020-01D, issued March 9, 2020, but not beyond December 1, 2020, to hold and attend meetings and conduct and attend hearings by teleconference, video conference, or any other similar electronic technology ("electronic means"). Members attending meetings or hearings by electronic means are considered present as if they were attending in person, are permitted to vote, and are counted for the purpose of determining quorum. Additionally, any public action taken by electronic means under these provisions has the same effect as if it were taken in an open meeting or hearing of the public body.

The Shaker Heights City School District Board of Education is availing itself of such provisions and has adopted a resolution to that effect in Section 1.4 of the April 7, 2020, Board meeting agenda, which will apply to the Board of Education and any Committees of the Board.

The Shaker Heights Board of Education met in special session on Thursday, May 28, 2020 at 4:00 p.m. The meeting was held electronically via Zoom webinar at the following link: <https://shaker.zoom.us/j/86983901771>

1. OPENING OF MEETING

1.1 CALL TO ORDER

At 4:05 p.m., Board President Heather Weingart, who presided over the meeting, called the meeting to order.

1.2 ROLL CALL

President Heather Weingart directed Treasurer Bryan C. Christman to call the roll.

Members present: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, and Heather Weingart.

2. EXECUTIVE SESSION

2.1 EXECUTIVE SESSION

At the recommendation of the Board President, and upon receiving a motion and a second, the Board of Education voted on recessing the meeting and entering into executive session to discuss employee personnel matters under Ohio Revised Code (ORC) Section 121.22(G)(1) for the purpose of considering the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.

Motion by Jeffrey Isaacs, second by Emmitt Jolly.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-05-74

At 4:06 p.m., the Board of Education recessed the public session.

After a brief break, the Board convened the executive session via a separate non-public Zoom meeting at 4:10 p.m. Also in attendance were Superintendent Dr. David Glasner; Treasurer Bryan C. Christman; Chief Operations Officer Jeffrey Grosse; Chief Academic Officer Dr. Marla Robinson; High School Principal Eric Juli; District counsel Eric Johnson of Walter Haverfield; and Frank George and Ann Marie Ahern, attorneys for Dr. Ann Spurrier.

Mr. George and Ms. Ahern departed the meeting at 4:45 p.m.

Mr. Christman, Dr. Robinson, Mr. Grosse, Mr. Juli and Mr. Johnson all departed the meeting at 5:45 p.m.

Dr. Glasner departed the meeting at 6:05 p.m.

At 6:18 p.m., President Weingart declared the end of executive session, at which time the Board members exited the executive session non-public Zoom meeting and rejoined the public session Zoom webinar.

The public session reconvened at 6:21 p.m.

3. APPROVAL OF ALL ACTION ITEMS AND REPORTS - PERSONNEL

3.1 APPROVING RESOLUTION TO NOT REEMPLOY AN ADMINISTRATIVE EMPLOYEE

At the recommendation of Superintendent Dr. David Glasner, and upon receiving a motion and a second, the Board of Education voted on approving the resolution below to not reemploy an administrative employee

WHEREAS, under Section 3319.02 of the Ohio Revised Code and pursuant to Board of Education Policies AFC-2 and GCN-2, the Board of Education, upon the recommendation of the Superintendent, may decide not to re-employ administrators at the expiration of their current administrative contracts;

WHEREAS, the Board of Education, through its administration, has duly evaluated Dr. Ann Marie Spurrier ("Dr. Spurrier"), who currently is employed under an assistant principal's contract that is scheduled to expire on June 30, 2020;

WHEREAS, the Superintendent has recommended that Dr. Spurrier's assistant principal's contract not be renewed;

WHEREAS, Dr. Glasner transmitted a letter to Dr. Spurrier on May 4, 2020, notifying her of the date her contract expires and that she had the right to request a meeting with the Board in executive session to discuss the reasons for considering the renewal or non-renewal of her employment contract pursuant to Ohio Revised Code Section 3319.02(D)(4);

WHEREAS, through her attorney, Dr. Spurrier responded on May 5, 2020 requesting a meeting with the Board to discuss its reasons for considering the renewal or nonrenewal of her employment contract;

WHEREAS, prior to the Board's decision, the Board provided Dr. Spurrier the opportunity of a meeting in executive session, during which the Board discussed its reasons for considering the renewal or nonrenewal of her employment contract; and

WHEREAS, the Board also considered Dr. Spurrier's written evaluation in deciding whether to renew her contract of employment, as well as related performance concerns.

NOW, THEREFORE, BE IT RESOLVED by the Board, that:

Section 1. Upon the recommendation of the Superintendent, and after consideration of Dr. Spurrier's evaluations, noted performance deficiencies and related performance concerns, the Board hereby determines that it intends to not re-employ Dr. Spurrier at the expiration of her current employment contract.

Section 2. The Board's Treasurer and/or Superintendent are hereby authorized and directed to carry out any functions necessary to implement this action in accordance with Section 3319.02 of the Ohio Revised Code, Board Policy and/or any other applicable law or procedure, including but not limited to providing notice of this action to Dr. Spurrier so it is received by her and her attorney on or before June 1, 2020.

Section 3. It is hereby found and determined that all formal actions of this Board of Education concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of Education held by electronic means, and that all deliberations of this Board of Education and any of its committees that resulted in such formal action were in meetings open to the public or in executive session as permitted by Ohio law.

Section 4. This Resolution shall be in full force and effect from and immediately upon its adoption.

Motion by Jeffrey Isaacs, second by Emmitt Jolly.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-05-75

4. ADJOURNMENT

4.1 NEXT MEETING

The next regular meeting of the Shaker Heights Board of Education will take place on Tuesday, June 9, 2020, at 6:00 p.m. and will be held virtually via a Zoom webinar, for which a link for joining the meeting will be provided at a later date via a revised/updated Sunshine Report and various District communication outlets.

4.2 ADJOURN THE MEETING

There being no further business to come before the Board, and upon receiving a motion and a second, the Board of Education voted on adjourning the meeting.

Motion by Ayesha Bell Hardaway, second by Lisa Cremer.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-05-76

The special meeting of the Shaker Heights Board of Education adjourned at 6:23 p.m.

Heather Weingart, President

Bryan C. Christman, Treasurer