

The Fairland Local Board of Education held its regular meeting on December 13, 2021.

The following members were present at roll call: Mr. Sowards, Mr. Gorby, Mr. Lewis, Mr. Ward and Mr. Appleton.

66-21 CONSENT AGENDA #1 ITEMS APPROVED

Mr. Sowards moved second by Mr. Lewis to approve the following consent agenda #1 items:

- A) Approve the following substitutes:
  - 1. Ericca Wall - Teacher
  - 2. Alexandria Marshall - Teacher
- B) Approve a request from Keith Carper to take the Fairland High School band to Universal Studios Orlando in April 2022
- C) Accept the resignation of Evan Salyers as Assistant Boys Basketball Coach at Fairland High School
- D) Approve OAPSE release time for Barbara Ward on 1/14/2022 to conduct official union business
- E) Approve the following resolution to express opposition to the passage of HB 290

**WHEREAS**, House Bill 290 has been introduced to the House of Representatives of the Ohio General Assembly and has been subsequently referred to the House Finance Committee; and

**WHEREAS**, HB 290, also referred to as the "Backpack Bill," purports "To express the intent of the General Assembly to establish a school funding formula that allows families to choose the option for all computed funding amounts associated with students' education to follow them to the public and nonpublic schools they attend."; and

**WHEREAS**, the Bill would divert public tax dollars away from public schools to charter schools as well as private schools, which are not accountable to the taxpayers of Ohio; and

**WHEREAS**, the Bill ostensibly would provide a subsidy for parents whose children are already enrolled in private school; and

**WHEREAS**, evaluations of voucher systems in the past have determined that students who use such vouchers do not benefit from improved learning outcomes compared to similarly situated students attending public schools; and

**WHEREAS**, charter and private schools in Ohio are not subject to a plethora of laws governing education standards and teacher qualifications among other matters in public schools, and may not be held to the same standards for protecting against religious and disability discrimination; and

**WHEREAS**, Article VI, Section 2 of the Ohio Constitution provides in part that "The General Assembly shall make such provisions, by taxation, or otherwise, as, with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the state."; and

**WHEREAS**, the Ohio Supreme Court has held that the Ohio Constitution "calls for the up building of a system of schools throughout the state"; and

**WHEREAS**, the Board of Education finds that directly funding students does not constitute the funding of a system of schools as required by the State Constitution; and

**WHEREAS**, for every child diverted to a charter or non-public school through a voucher program, the public school district does not achieve a savings as it still has the same number of staff, buildings and infrastructure costs; and

**WHEREAS**, because nearly all Ohio districts receive less state funds per pupil than their per pupil deductions for charter students, public schools must effectively divert local tax dollars that have been approved by local taxpayers for a particular purpose for school operations. Universal vouchers would only exacerbate this inequity by also diverting local tax dollars to private schools; and

**WHEREAS**, the Board of Education believes that every child has a fundamental right to a high-quality public education and that this should be the focus of the General Assembly.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education as follows:

**Section 1.** The Board of Education hereby states its opposition to the enactment of HB 290 or any other legislation which purports to institute a universal voucher system in the state of Ohio.

**Section 2.** The Board of Education authorizes the Treasurer to forward a copy of this resolution to the District's representative in the House, Jason Stephens and Senate, Bob Peterson, as well as Governor Mike DeWine, and the Interim Superintendent of Public Instruction, Stephanie K. Siddens, Ph.D.

**Section 3.** The Board believes that the public school districts of the State of Ohio must together express their common opposition to this Bill and any similar legislation introduced in the future and therefore encourages other districts in Ohio to adopt a similar resolution of opposition.

**Section 4.** This Board of Education hereby finds and

determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education; and that all deliberations of this Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 5.** This Resolution shall be in full force and effect from and immediately after its adoption.

F) Adopt the following resolution:

The Superintendent of Schools Roni Hayes recommends that the board of education adopt the following resolution:

**WHEREAS** the student(s) identified below have been determined to be residents of this school district, and eligible for transportation services; and

**WHEREAS** after a careful evaluation of all available options, it has been determined that it is impractical to provide transportation for these student(s) to their selected school(s); and

**WHEREAS** the following factors as identified in Revised Code §3327.02 have been considered:

1. The time and distance required to provide the transportation
2. The number of pupils to be transported
3. The cost of providing transportation in terms of equipment, maintenance, personnel, and administration
4. Whether similar or equivalent service is provided to other pupils eligible for transportation
5. Whether and to what extent the additional service unavoidably disrupts current transportation schedules
6. Whether other reimbursable types of transportation are available; and

**WHEREAS** the option of offering payment-in-lieu of transportation is provided in Ohio Revised Code: Therefore, be it

**RESOLVED** that the Fairland Board of Education hereby approves the declaration that it is impractical to transport the students identified herein and offers the parent(s)/guardian(s) of students named on the attachment, payment-in-lieu of transportation.

G) Approve the following student activity budgets for 2021-2022:

Fairland Middle School Student Council submitted by Michele Gorby  
Fairland Middle School BETA Club submitted by Kimberly Frasher

- H) Schedule the organizational meeting for 2022 for January 10, 2022 at 6:00 pm at the high school
- I) Approve a resolution to set board member compensation at the maximum per meeting allowed per Ohio Revised Code 3313.12
- J) Adopt the following resolution authorizing the transfer of monies from the Bond Retirement Fund to a Permanent Improvement Fund

**WHEREAS**, the School District has made its last principal and interest payment and no longer has any bonded debt outstanding;

**WHEREAS**, there is an excess balance of approximately \$91,037.89 in the Bond Retirement Fund;

**WHEREAS**, Ohio Revised Code Section 5705.14(C) (2) allows a school district, after an affirmative vote of two-thirds of the members of its board of education, to transfer excess monies in its bond retirement fund to a specific permanent improvement fund, provided that the county budget commission where the school district is located approves the transfer and determines that such monies will not be required to meet the obligations payable from such fund after the county budget commission has reviewed and considered all of the following: the balance of the bond retirement fund; the outstanding obligations payable from such fund; and the sources and timing of the fund's revenue;

**WHEREAS**, the County Budget Commission of Lawrence County, Ohio (the "Budget Commission") has jurisdiction over property tax matters relating to the School District;

**WHEREAS**, this Board has determined that it is necessary to transfer a portion of the excess balance in the Bond Retirement Fund (USAS 002) to a specific permanent improvement fund, namely the School District's Permanent Improvement Fund (USAS 003);

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of the Fairland Local School District, Lawrence and Gallia Counties, Ohio, two-thirds of the members elected thereto concurring, that:

In accordance with Ohio Revised Code Section 5705.14(C) (2) and because the School District will have an excess balance in its Bond Retirement Fund, particularly since all its bonded debt has been retired, the Board hereby requests approval from the Budget Commission to transfer approximately \$91,037.89 from the School District's Bond Retirement Fund (USAS 002) to the School District's Permanent Improvement Fund (USAS 003) to be used for general permanent improvements.

The Treasurer of the Board (the "Treasurer") is hereby authorized and directed to execute and deliver, on behalf of the Board, any documents, certificates, instruments, agreements, contracts, and other items as may be necessary or appropriate in order to carry out the intent of this Resolution. The Treasurer is directed to forward a certified copy of this Resolution to the County Auditor of Lawrence County, Ohio, as Secretary of the Budget Commission.

If the Budget Commission approves the transfer of monies as requested and described herein, then the Treasurer is hereby authorized and directed to transfer approximately \$91,037.89 (or such lesser amount of monies as may be approved by the Budget Commission) in the School District's Bond Retirement Fund (USAS 002) to the School District's Permanent Improvement Fund (USAS 003).

It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

- K) Approve purchase order #94876 to Lawrence County ESC which was not properly encumbered
- L) Approve the minutes of the November 15, 2021 regular board meeting
- M) Approve the bank reconciliation, Spending Plan Comparison, Cash Summary, and Financial Summary by Fund reports for November 2021 as presented by the Treasurer
- N) Approve the Disbursement Summary Report for November 2021 which includes a credit card expenditure report as presented by the Treasurer

The vote was: Mr. Sowards, yea; Mr. Gorby, yea; Mr. Lewis, yea; Mr. Ward, yea; Mr. Appleton, yea.  
Motion carried.

#### 67-21 EXECUTIVE SESSION

Mr. Sowards moved second by Mr. Ward to go into executive session to consider the employment of a public employee or official.

The vote was: Mr. Sowards, yea; Mr. Gorby, yea; Mr. Lewis, yea; Mr. Ward, yea; Mr. Appleton, yea.  
Motion carried.

Out 6:51 p.m. Back 8:30 p.m.

Upon roll call, Mr. Sowards, Mr. Gorby, Mr. Lewis, Mr. Ward and Mr.

Appleton were present when the regular session reconvened.

68-21 CONSENT AGENDA #2 ITEMS APPROVED

Mr. Ward moved second by Mr. Appleton to approve the following consent agenda #2 items:

- A) Approve Brennan Hall, David Carroll, Tim Hayes, Aaron Ferguson and Stephanie Beelen to do after-school tutoring at Fairland High School
- B) Transfer Corey White to cook at Fairland West as per her request
- C) Hire Hannah Wise as Assistant Science Fair Director at Fairland High School
- D) Approve Lisa Roberts to do after-school tutoring at Fairland West
- E) Hire Ashley Southard as Assistant Cheerleading Coach at Fairland High School

The vote was: Mr. Sowards, yea; Mr. Gorby, yea; Mr. Lewis, yea; Mr. Ward, yea; Mr. Appleton, yea.  
Motion carried.

69-21 ADJOURN

Mr. Ward moved second by Mr. Gorby to adjourn the meeting.

The vote was: Mr. Sowards, yea; Mr. Gorby, yea; Mr. Lewis, yea; Mr. Ward, yea; Mr. Appleton, yea.  
Motion carried.

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PRESIDENT

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TREASURER