

MINUTES- JACKSON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION- MARCH 23, 2021

- A. The regular meeting of the Jackson Local School District Board of Education was held, Tuesday, March 23, 2021, at 5:00 pm at Jackson High School. The following members were present: Douglas, Goff, Winkhart, Wright, and Gindlesberger.
- B. President Gindlesberger led the Pledge of Allegiance.

21.30 Moved by Douglas, seconded by Wright, to approve the minutes of the February 23, 2021 regular meeting as presented.

Douglas, yes; Wright, yes; Goff, yes; Winkhart, yes; Gindlesberger, yes. Motion carried.

21.31 Moved by Goff, seconded by Winkhart, to accept the February, 2021 financial statements, account modifications, and appropriation changes, as presented:

AMOUNT	FROM ACCOUNT BUDGET KEY	TO ACCOUNT BUDGET KEY
\$ 1,115.40	5519000125100510-412	5519000326000510-490
\$ 13,729.53	5729021221300720-490	5729021127000720-111
\$ 2,509.17	5729021221300720-490	5729021127000720-210
\$ 199.08	5729021221300720-490	5729021127000720-213
\$ 81.22	5729021221300720-490	5729021221300720-511
\$ 168.50	5729021127000720-241	5729021221300720-511
\$ 0.28	5729021221300720-210	5729021221300720-511
\$ 1,100.00	001250000000010-640	001259000000000-490
\$ 8,000.00	001272000000020-423	0012730000000210-571
\$ 500.00	001272000000020-423	001272000000090-640
\$ 34,242.11	001560000000000-620	0014590000000450-640
\$ 700.00	3009040413000020-590	3009040413000020-490
\$ 2,100.00	3009052463000030-590	3009052463000030-490
\$ 100.00	3009545454500020-590	3009545454500020-490
\$ 200.00	006319000000020-640	006319000000000-840
\$ 600.00	0220000459000020-490	0220000276000030-490
<b>ADVANCES BACK</b>		
\$ 245,620.41	0017410000000000	0060000000000000
\$ 11,040.77	0017410000000000	5249000000000240
\$ 1,864.31	0017410000000000	55192000000000510
\$ 113.65	0017410000000000	5729021000000700
\$ 10,000.00	0017410000000000	5729500000000072
<b>ADVANCES IN</b>		
\$ 220,873.11	0060000000000000	0017410000000000
\$ 186.44	55192000000000510	0017410000000000
\$ 501.24	5729500000000072	0017410000000000
<b>INCREASE/DECREASE AMOUNT</b>		
\$ 8,539.54	-----	5169021000000160
\$ (2,776.78)	-----	5169021123000160
\$ 149.50	-----	5169021123000160
\$ (40.26)	-----	5169021123000160
\$ (19,301.60)	-----	5169021123000160
\$ (106.25)	-----	5169021123000160
\$ 1,293.58	-----	5169021123100160
\$ 10,121.48	-----	5169021124000160

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\$	(5,417.47)	-----	5169021124100160
\$	(50.00)	-----	0079000329000010
\$	1,006.10	-----	2009026467000020

Goff, yes; Winkhart, yes; Douglas, yes; Wright, yes; Gindlesberger, yes. Motion carried.

- C. Board members reviewed the list of bills paid in February, 2021, which totaled \$5,765,790.01.
- D. During the first hearing of visitors, no one wished to address the Board.
- E. The following communications were presented to the Board:
- Jeff Kracker, Jackson High School Principal, updated the Board on Jackson High School.
  - The Canton Regional Chamber of Commerce Business Advisory Council met on January 26, 2021, February 23, 2021, and March 23, 2021.
  - The following individual will serve as athletic volunteer for the 2020/2021 school year:  
Ramesh Krishnamurthi- Boys Tennis
- F. Superintendent DiLoreto presented to the board:
- The first reading of the following board policies:  
Policy 1422- ADMINISTRATION- NonDiscrimination and Equal Employment Opportunity  
Policy 1623- ADMINISTRATION- Section 504/ADA Prohibition Against Disability Discrimination in Employment  
Policy 1662- ADMINISTRATION- Anti-Harassment  
Policy 2240- PROGRAM- Controversial Issues  
Policy 2260.01- PROGRAM- Section 504/ADA Prohibition Against Discrimination Based on Disability  
Policy 2260- PROGRAM- NonDiscrimination and Access to Equal Educational Opportunity  
Policy 2266- PROGRAM- NonDiscrimination on the Basis of Sex in Education Programs or Activities  
Policy 3122- PROFESSIONAL STAFF- NonDiscrimination and Equal Employment Opportunity  
Policy 3123- PROFESSIONAL STAFF- Section 504/ADA Prohibition Against Disability Discrimination in Employment  
Policy 3362- PROFESSIONAL STAFF- Anti-Harassment  
Policy 4122- CLASSIFIED STAFF- NonDiscrimination and Equal Employment Opportunity  
Policy 4123- CLASSIFIED STAFF- Section 504/ADA Prohibition Against Disability Discrimination in Employment  
Policy 4362- CLASSIFIED STAFF- Anti-Harassment  
Policy 5517- STUDENTS- Anti-Harassment  
Policy 6114- FINANCES- Cost Principles- Spending Federal Funds  
Policy 6220- FINANCES- Tax Budget Preparation  
Policy 6325- FINANCES- Procurement- Federal Grants/Funds  
Policy 6600- FINANCES- Deposit of Public Funds: Cash Collection Points  
Policy 7440.01- PROPERTY- Video Surveillance and Electronic Monitoring  
Policy 7450- PROPERTY- Property Inventory

Policy 7455- PROPERTY- Accounting System for Fixed Assets

Policy 8450.01- OPERATIONS- Protective Facial Coverings During Pandemic/Epidemic Events

Policy 8500- OPERATIONS- Food Services

Policy 8510- OPERATIONS- Wellness

- 21.32 Moved by Wright, seconded by Douglas, to authorize the resolution to participate in the RFP for the next agreement term, as presented.

#### RESOLUTION

AUTHORIZING THE PURCHASE OF COMPETITIVE RETAIL ELECTRIC SERVICE FROM THE LOWEST RESPONSIBLE BID SUBMITTED FOR THE BILLING PERIOD COMMENCING WITH THE JULY 2022 BILLING CYCLE AND TERMINATING NO LATER THAN THE JUNE 2027 BILLING CYCLE.

WHEREAS, the School District is a member of Stark County Schools Council of Governments (the "Council"), a body authorized by state statute to aggregate purchasing needs of schools and of related nonprofit educational entities so as to take advantage of economies of scale when purchasing essential products and services; and

WHEREAS, the Council is joining with other major school districts and educational purchasing councils to conduct a Request for Proposal for competitive retail electric service commencing with the July 2022 billing cycle and terminating no later than the close of the June 2027 billing cycle, with bids to be submitted for various periods and durations (the "RFP");

WHEREAS, the RFP will seek a single, fixed-price for all energy charges, excluding capacity charges which shall be passed-through directly to the School District and also will seek alternative pricing for the pass-through of fees associated with the supplier's cost of compliance with Ohio's renewable portfolio standards ("RPS");

WHEREAS, the RFP calls for an administrative fee of \$0.0003 per kilowatt-hour of electricity used which such fee shall be payable to the School District's Council and shall be reflected in the CRES purchase price;

WHEREAS, the Council will send or has sent notices to bid on the School District's electric load to all competitive retail electric service providers licensed to sell power in the state of Ohio and registered with the applicable electric distribution utility;

WHEREAS, the Council will select the lowest responsible bid submitted in response to the RFP, contemplated to be on or before May 1, 2021;

WHEREAS, this School District may review the lowest responsible bid and corresponding term and elect anytime up to the time period as set forth in the RFP, unless extended to a later date as may be allowed under the RFP, to accept the lowest responsible bid with no obligation prior to that time or thereafter if the School District does not sign a Master Supply Agreement with the selected bidder; and

WHEREAS, the Superintendent or the Superintendent's designee will review the lowest responsible bid and corresponding term when the RFP is concluded and determine whether the lowest responsible bid provides for competitive retail electric service for all of the School District's electric load that is the result of a public and competitive RFP.

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE JACKSON LOCAL SCHOOL DISTRICT, COUNTY OF STARK, STATE OF OHIO, as follows:

Section 1. The Board of Education of this School District does hereby consent, as a member of the Council, to the conducting of an RFP process by the Council for competitive retail electric service commencing with the July 2022 billing cycle and terminating no later than the close of the June 2027 billing cycle, with bids to be submitted for various periods and durations on such terms and conditions as the Council deems appropriate.

Section 2. The Board of Education of this School District does hereby authorize the Superintendent or the Superintendent's designee to execute a Master Supply Agreement to be prepared by the Council between the School District and the lowest responsible bidder in the RFP so long as the Superintendent or his appointee finds that the price reflects the results of a public and competitive RFP.

Section 3. The Board of Education hereby directs the Treasurer to review the lowest responsible bid once received and the Master Supply Agreement and determine if the School District has sufficient funds to certify this resolution and, if the Treasurer so finds, to certify this resolution.

Wright, yes; Douglas, yes; Goff, yes; Winkhart, yes; Gindlesberger, yes. Motion carried.

- 21.33 Moved by Goff, seconded by Douglas, to approve the revised easement for the relocation of the natural gas line near Jackson High School to accommodate the plan for the proposed Jackson Township tunnel to run under Fulton Drive, as presented.

Goff, yes; Douglas, yes; Winkhart, yes; Wright, yes; Gindlesberger, yes. Motion carried.

- 21.34 Moved by Goff, seconded by Wright, to approve the resolution to increase the estimated construction costs for the Jackson Township Tunnel Project, as presented.

## RESOLUTION

WHEREAS, the Stark County Park District (the "District") has secured partial funding from the Ohio Department of Transportation to construct a tunnel under Fulton Road for a District walking path (the "Project");

WHEREAS, the remaining cost of the Project will be divided evenly between the District, the Township and the Jackson Local School District (the "School");

WHEREAS, the District, Township and School did memorialize their respective obligations with respect to the Project in a Support Agreement, which the School approved at its meeting June 23, 2020; and

WHEREAS, due to utility relocation an increase in construction costs has occurred which exceeds the School's initial partner contribution of \$205,288; and

WHEREAS, the Township believes that the Project is in the best interests of the community and the health, safety, and welfare of its residents.

BE IT RESOLVED by the Jackson Local Board of Education:

1. We hereby adopt, approve, and authorize the attached Letter of Commitment with the revised share amount of \$400,000.

Goff, yes; Wright, yes; Douglas, yes; Winkhart, yes; Gindlesberger, yes. Motion carried.

21.35 Moved by Douglas, seconded by Goff, to approve the resolution to approve the attorney-client fee contract and authorize litigation, as presented.

RESOLUTION TO APPROVE ATTORNEY-CLIENT FEE CONTRACT  
AND AUTHORIZE LITIGATION

WHEREAS, electronic cigarette and other nicotine vapor product (“vaping”) use and abuse by minor students in the United States has reached epidemic levels; and

WHEREAS, vaping companies’ irresponsible marketing strategies have targeted young people and have led to increased instances of nicotine addiction amongst America’s students; and

WHEREAS, nicotine and other harmful chemicals contained in vaping products leads to health issues and jeopardizes student development; and

WHEREAS, students across the United States, including students within the Jackson Local School District, have been negatively impacted by the vaping epidemic; and

WHEREAS, the District has expended funds to address students’ use of vaping products;

WHEREAS, in 2019, Frantz Law Group, APLC filed a mass tort action lawsuit against JUUL Labs, Inc. on behalf of several California schools in the United States District Court for the Northern District of California (“Lawsuit”); and

WHEREAS, the Lawsuit is captioned In re: Juul Labs, Inc. Marketing, Sales Practices & Products Liability Litigation, Case No. 3:19-md-2913-WHO; and

WHEREAS, the Lawsuit has been approved for trial and is set to commence in January 2022; and

WHEREAS, the law firms of Peters, Kalail & Markakis Co., LPA and Frantz Law Group, APLC (“Law Firms”) have entered into a co-counsel agreement to join Ohio schools into the Lawsuit; and

WHEREAS, the Law Firms have offered to jointly represent the Jackson Local School District in the Lawsuit pursuant to an Attorney-Client Fee Contract (“Agreement”); and

WHEREAS, a copy of the Agreement has been attached and fully incorporated herein; and

WHEREAS, under the terms of the Agreement, the District shall be not be charged attorneys’ fees, nor shall the District bear any costs or expenses, if there is no recovery from the Lawsuit;

NOW THEREFORE, BE IT RESOLVED THAT the Board of Education of the Jackson Local School District approves and enters into the Agreement with the Law Firms, and directs the Board President, Superintendent, and Treasurer to execute the Agreement and return the same to the Law Firms; and

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BE IT FURTHER RESOLVED THAT it is hereby found and determined that all formal action of the Board of Education 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 conducted in compliance with all legal requirements, including Section 121.22 of the Revised Code.

BE IT FURTHER RESOLVED THAT the Board of Education authorizes the Law Firms to file a complaint in the appropriate United States District Court(s) having jurisdiction over the Lawsuit;

BE IT FURTHER RESOLVED THAT the Board of Education authorizes the Superintendent, Treasurer and other administrators and staff to provide reasonable assistance to the Law Firms to enable the handling of the Lawsuit.

Douglas, yes; Goff, yes; Winkhart, yes; Wright, yes; Gindlesberger, yes. Motion carried.

21.36 Moved by Wright, seconded by Winkhart, to resolve to continue the policy on intra-district open enrollment and further resolve to continue to not participate/permit inter-district open enrollment.

Wright, yes; Winkhart, yes; Douglas, yes; Goff, yes; Gindlesberger, yes. Motion carried.

21.37 Moved by Goff, seconded by Winkhart, to adopt the following resolution:

STARK COUNTY AUDITOR

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR  
Revised Code, Secs. 5705.34-5705.35

WHEREAS, This Board of Education in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing July 1<sup>st</sup>, 2021:

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the Board of Education of Jackson Local School District, Stark County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Jackson Local School District the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A  
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
Bond Retirement Fund	2,763,760			1.70
General Fund	41,435,495	7,803,558	4.80	40.30

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For Permanent Improvement		1,625,741	1.00	
Total	44,199,255	9,429,299	5.80	42.00

SCHEDULE B  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yield of Levy
<b>GENERAL FUND</b>		
Current expense levy authorized by voters on 11/5/68 for not to exceed <b>Continued</b> years.	3.70	2,953,629
Current expense levy authorized by voters on 12/10/68 for not to exceed <b>Continued</b> years.	4.20	3,352,768
Current expense levy authorized by voters on 11/4/69 for not to exceed <b>Continued</b> years.	10.30	8,222,267
Current expense levy authorized by voters on 11/8/77 for not to exceed <b>Continued</b> years.	7.60	6,586,370
Current expense levy authorized by voters on 5/7/85 for not to exceed <b>Continued</b> years.	4.90	4,713,344
<b>Emergency</b> Current expense levy authorized by voters on 3/15/16 for not to exceed <b>5</b> years.	5.70	9,266,726
<b>Emergency</b> Current expense levy authorized by voters on 5/7/19 for not to exceed <b>5</b> years.	3.90	6,340,391
School Facilities, Series 1993 Bond Fund: Levy authorized by voters on 5/4/93 for not to exceed <b>28</b> years.	-	0
School Facilities, Series 2000 Bond Fund: Levy authorized by voters on 3/7/00 for not to exceed <b>25</b> years.	-	0
School Facilities, Series 2004 Bond Fund: Levy authorized by voters on 3/2/04 for not to exceed <b>29</b> years.	1.70	2,763,760

And be it further  
RESOLVED, That the Treasurer/CFO of this Board be and she is hereby directed to certify a copy of this resolution to the County Auditor of Stark County.

SUMMIT COUNTY BUDGET COMMISSION CERTIFICATION OF TAX LEVY  
(ORC Sections 5705.34 & 5705.35)

The valuations and tax rates have been updated to reflect Tax Year 2020/Collection Year 2021.  
Levies Inside and Outside 10 Mill Limitation, Inclusive of Debt Levies

1. RES/AG REAL VALUE	-
2. OTHER REAL VALUE	15,870,060
3. TOTAL RES/AG & OTHER REAL VALUE	15,870,060
4. PUBLIC UTILITY PERSONAL VALUE	557,220
5. TOTAL REAL & PUBLIC UTILITY VALUE	16,427,280
EXEMPT VALUE	1,601,220

FUND TYPE	PURPOSE	AUTH BY VOTERS ON MO/DA/YR	NO YRS LEVY TO RUN	TAX YEAR	COLLECTION YEAR	MAX RATE AUTH TO BE LEVIED	REDUCTION FACTOR	EFFECTIVE RATE TO BE LEVIED	RES/ AG	OTHER	PUBLIC UTILIT Y	TOTAL	ROLL BACK
				BEGINS/ ENDS	BEGINS/ENDS		RES/AG OTHER	RES/AG OTHER					
General 01 00 Full Year	Inside					4.40		4.400000 4.400000	\$0	\$69.828	\$2,452	\$72.280	Y

January-June									\$0	\$34,914	\$1,226	\$36,140	
July-December									\$0	\$34,914	\$1,226	\$36,140	
General 01 01 Full Year	Current Expense	1976 and Prior	Cont.	68/NA	69/NA	18.20	0.530002 0.538877	8.553964 8.392439	\$0	\$133.189	\$10,141	\$143.330	Y
January-June									\$0	\$66.595	\$5,071	\$71.665	
July-December									\$0	\$66.595	\$5,071	\$71.665	
General 02 00 Full Year	Current Expense	Addl 11/08/77	Cont.	77/NA	78/NA	7.60	0.487130 0.492157	3.897812 3.859607	\$0	\$61.252	\$4,235	\$65.487	Y
January-June									\$0	\$30.626	\$2,118	\$32.744	
July-December									\$0	\$30.626	\$2,118	\$32.744	
General 03 00 Full Year	Current Expense	Addl 05/07/85	Cont.	85/NA	86/NA	4.90	0.439133 0.398373	2.748248 2.947972	\$0	\$46.784	\$2,730	\$49.514	Y
January-June									\$0	\$23.392	\$1,365	\$24.757	

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July-December									\$0	\$23,392	\$1,365	\$24,757	
Emergency 04 00 Full Year (Substitute)	Current Expense	Renewal 03/15/16	5	16/20	17/21	5.70	0.000000 0.000000	5.700000 5.700000	\$0	\$45,230	\$1,588	\$46,818	Y
January-June									\$0	\$0	\$0	\$0	
July-December									\$0	\$45,230	\$1,588	\$46,818	
Capital Projects 16 00 Full Year	Perm. Improve.	Inside				1.00	0.000000 0.000000	1.000000 1.000000	\$0	\$15,870	\$557	\$16,427	Y
January-June									\$0	\$7,935	\$279	\$8,214	
July-December									\$0	\$7,935	\$279	\$8,214	
Debt Service 24 00 Full Year	Bond Retirement	03/02/04	29	04/32	05/33	1.70	0.000000 0.000000	1.700000 1.700000	\$0	\$26,979	\$947	\$27,926	Y
January-June									\$0	\$13,490	\$474	\$13,963	
July-December									\$0	\$13,490	\$474	\$13,963	
Emergency 05 00 Full Year	Current Expense	Renewal 05/07/19	5	19/23	20/24	3.90	0.000000 0.000000	3.900000 3.900000	\$0	\$61,893	\$2,173	\$64,066	Y
January-June									\$0	\$30,947	\$1,087	\$32,033	
July-December									\$0	\$30,947	\$1,087	\$32,033	
Total Full Year						47.40		31.900024 31.900018	\$0	\$488,004	\$24,824	\$512,827	
January-June									\$0	\$221,387	\$11,618	\$233,005	
July-December									\$0	\$266,617	\$13,206	\$279,822	

NOTE: The ROLLBACK column added to this certificate represents the recently passed state budget, beginning with tax year 2013 the ten and two and one-half percent rollbacks will no longer apply to new levies that are enacted after the August 2013 election. These non-qualifying levies include additional levies, the increase portion of renewal with increase levies, and the full effective millage of replacement levies. Levies that will continue to qualify for application of the rollbacks are levies approved at or before the August 2013 election, inside and charter millage as they appear on the 2013 tax list, renewals of qualified levies, and the substitute of qualified school district emergency levies under Revised Code section 5705.199. In this column the Y indicates the levy qualifies for the 10% and 2 1/2% rollback. The N indicates the levy does not qualify for the 10% and 2 1/2% rollback.

Goff, yes; Winkhart, yes; Douglas, yes; Wright, yes; Gindlesberger, yes. Motion carried.

21.38 Moved by Douglas, seconded by Wright, to grant a six-month unpaid medical leave of absence to Todd Liskey, effective March 29, 2021, as presented.

Douglas, yes; Wright, yes; Goff, yes; Winkhart, yes; Gindlesberger, yes. Motion carried.

21.39 Moved by Goff, seconded by Wright, to accept the following resignations, as presented.

Brittani Breehl            Resignation, Teacher (CCL), effective end of 2020/2021 contract year  
 Stephanie Kemp        Resignation, Bus Monitor, effective January 30, 2021  
 Lisa Nero                Resignation, Bus Driver, effective March 27, 2021

Goff, yes; Wright, yes; Douglas, yes; Winkhart, yes; Gindlesberger, yes. Motion carried.

21.40 Moved by Winkhart, seconded by Douglas, to employ the following classified personnel for the 2020-2021 contract year as recommended by the Local Superintendent; and to direct the Treasurer to send salary notices to these persons with salaries according to the adopted salary schedule or stipends and pending completion and return of all necessary documents including an acceptable B.C.I. record, where applicable:

Classified Employees  
One-Year Limited Contract 2020/2021  
 Krista Carr- Bus Driver; 1.5 hrs; effective 3/15/21

Winkhart, yes; Douglas, yes; Goff, yes; Wright, yes; Gindlesberger, yes. Motion carried.

G. The next board of education meeting is scheduled for Tuesday, April 27, 2021 at 5:00 pm at Jackson High School.



21.41 Moved by Winkhart, seconded by Wright, to change the date of the May 2021 Board of Education meeting to May 18, 2021 at 5:00 pm at Jackson High School.


Winkhart, yes; Wright, yes; Douglas, yes; Goff, yes; Gindlesberger, yes. Motion carried.


H. During the second hearing of visitors, no one wished to address the board.

21.42 Moved by Winkhart, seconded by Douglas, to adjourn into executive session at 5:57 pm to consider the employment of a public employee; and to consider the compensation of a public employee.

Winkhart, yes; Douglas, yes; Goff, yes; Wright, yes; Gindlesberger, yes. Motion carried.

I. The meeting reconvened at 7:48 pm and adjourned at 7:49 pm.

  
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President

  
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Treasurer

