

OCTOBER 19, 2020  
BOARD MEETING  
5:00 P.M.  
HS CAFETERIA

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

IV. Motion to Adopt the Agenda

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

V. Motion to go into executive session to review negotiations or bargaining sessions with public employees concerning their compensation or other items and conditions of their employment.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

VI. Lions Club Good Award

VII. Community Comments

We set aside time during our meetings to welcome community comments and questions. To ensure everyone has an opportunity to speak, we ask that you please limit the duration of your comments to three minutes or less. Finally, we ask that all speakers conduct themselves in a respectful and peaceful manner.

VIII. Treasurer's Reports/Recommendations:

1. Resolution to:

Waive the reading and approve the minutes of the following meetings:

September 21, 2020 - Board Meeting  
September 22, 2020 - Special Board Meeting  
September 29, 2020 - Special Board Meeting  
October 2, 2020 - Special Board Meeting  
October 8, 2020 - Special Board Meeting  
October 13, 2020 - Special Board Meeting

Approve the monthly financial reports as submitted, with the authorization for payment of bills and appropriation modifications as necessary.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

2. Resolution to rescind the donation on September 21, 2020 from Charles Auto Family.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

3. Resolution to approve the following donation:

\$4,000.00	from Charles Auto Family
\$100.00	from Michael Evanovich

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

4. Resolution to approve a depository agreement with Portage Community Bank for active, interim, and/or inactive public funds from November 1, 2020 until October 31, 2025, with an option to renew for another five years at the end of the agreement.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

5. Resolution to approve the following Policy & Purpose statement:

Athletic Budget

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

6. Resolution to authorizing the execution and delivery of a renewal agreement to the master electric energy sales agreement between the District and Power4Schools' endorsed electric supplier, Engie Resources LLC.

WHEREAS, the Board of Education (the "Board") of this School District (the "District"), as a member of one of the Associations, pursuant to this resolution desires to authorize the execution and delivery by the District of Renewal Agreement to the Master Electric Energy Sales Agreement between the District and ENGIE (the "Power Sales Agreement"), pursuant to which the District, will purchase electricity generation for its school facilities; and

WHEREAS, the Ohio Schools Council, Ohio School Boards Association, Ohio Association of School Business Officials, and the Buckeye Association of School Administrators (the "Associations") each carries out cooperative purchase programs and promotes cooperative arrangements and agreements among its member school districts and government agencies or private persons; and

WHEREAS, the Associations collectively do business under the trade name "Power4Schools" ("P4S") for the purpose of endorsing competitive retail electric service ("CRES") providers to supply retail electric energy services to the Associations' members; and

WHEREAS, the members of, and other participating public schools associated with, the Associations desire to purchase retail electric energy services from the CRES provider that has received the endorsement of P4S, ENGIE Resources LLC ("ENGIE"); and

WHEREAS, the Board of Education (the "Board") of this School District (the "District"), as a member of one of the Associations, pursuant to this resolution desires to authorize the execution and delivery by the District of a Master Electric Energy Sales Agreement between the District and ENGIE (the "Power Sales Agreement"),

pursuant to which the District, will purchase electricity generation for its school facilities; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE ROOTSTOWN SCHOOL DISTRICT, COUNTY OF PORTAGE, STATE OF OHIO, as follows:

**Section 1.** The Board authorizes and directs the Treasurer to execute and deliver, in the name of the District and on its behalf, the Power Sales Agreement, substantially in the form now on file with this Board, with any changes that are not inconsistent with this resolution and that may be acceptable to the Treasurer whose acceptance shall be conclusively evidenced by the execution of such document by the Treasurer.

**Section 2.** Monies adequate to pay amounts due under the Power Sales Agreement for the current fiscal year are hereby appropriated for that purpose.

**Section 3.** It is hereby found and determined that all formal actions of the Board concerning and relating to the adoption of this resolution were adopted in an open meeting of the Board, and that all deliberations of the 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 Section 121.22 of the Ohio Revised Code.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_Kline\_\_\_\_\_Siciliano\_\_\_\_\_Waesch

7. Resolution to pursue a potential claim:

WHEREAS, on September 15, 2019, Purdue Pharma L.P., a privately held pharmaceutical company, filed for bankruptcy in the U.S. Bankruptcy Court for the Southern District of New York as part of a plan to settle litigation with dozens of states and other plaintiffs who assert/allege the company fueled the opioid crisis through improper marketing and inappropriate distribution of prescription opiate medications around the country (said case is captioned *In Re: Purdue Pharma L.P., et al, Chapter 11, Case No. 19-23649-rrd*); and

WHEREAS, the Board of Education recently learned that school districts in Ohio may have potential claims against the Purdue Pharma bankruptcy fund, and therefore the Board is eligible to file a

Governmental Opioid Claimant Proof of Claim Form (hereinafter, "Proof of Claim") in the pending bankruptcy case; and

WHEREAS, the Board maintains it has been harmed by the opioid epidemic that Purdue Pharma is alleged to have fueled, including but not limited to incurring damages for direct and indirect costs resulting from the opioid crisis, such as special education services, supports, and therapies, non-special education academic supports, and health insurance costs; and

WHEREAS, the deadline for filing a Proof of Claim was Thursday, July 30, 2020, at 5 p.m. (EST); and

WHEREAS, the Superintendent, in order to protect the Board's ability to assert a claim to funds that will be distributed to claimants pursuant to the bankruptcy proceedings, requested that the law firm of Peters Kalail & Markakis Co., LPA, file on behalf of the Board a Proof of Claim and a Proof of Claim was filed;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby ratifies and affirms and makes retroactively effective the Superintendent's action in requesting that Peters Kalail & Markakis Co., LPA file the attached Proof of Claim (see Attachment A - Governmental Opioid Claimant Proof of Claim), and hereby endorses and certifies the content of the Proof of Claim.

BE IT FURTHER RESOLVED, the Board directs the Superintendent and/or Treasurer to take any further action necessary to process Board's claim, including but not limited to generating and submitting any documentation necessary to delineate the harm the Board has experienced as a result of the opioid epidemic and establish the Board's entitlement to damages and receipt of funds through the bankruptcy proceeding.

BE IT FURTHER RESOLVED, the Board authorizes the Superintendent and/or Treasurer to use Peters Kalail & Markakis Co., LPA and Gertz & Rosen, Ltd., to file and prosecute its claim in the bankruptcy proceeding, and authorize the Superintendent to enter into the attached Engagement Letter on behalf of the District (see Attachment B - Engagement Letter). The Board acknowledges and affirms that it has been informed in clear, concise and understandable terms that Peters Kalail & Markakis Co., LPA and Gertz & Rosen, Ltd. will be representing the District as part of a joint representation that includes other Ohio public schools who have filed Governmental Opioid Claimant Proof of Claim Forms in the bankruptcy proceeding, with the expectation of reducing and

sharing common expenses associated with pursuing this matter. The Board expressly agrees to waive any potential conflict of interest in accordance with the terms of the Engagement Letter.

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.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

IX. Superintendent’s Reports/Recommendations:

- 1. Recommend the Board approve the 1st reading of the following policies:

1520	Employment of Administrators	Revised
1530	Evaluation of Principals and Other Administrators	Revised
2270	Religion in the Curriculum	Revised
2431	Interscholastic Athletics	Revised
3124	Employment Contract	Revised
5200	Attendance	Revised
5517.02	Sexual Violence	Delete
5610	Removal, Suspension, Expulsion, and Permanent Exclusion of Students	Revised
5611	Due Process Rights	Revised
6144	Investments	Revised
6152	Student Fees, Fines, and Charges	Revised
6152.01	Waiver of School Fees for Instructional Materials	Revised
6325	Procurement- Federal Grants/Funds	Revised
6424	Procurement Cards	Replacement
8450.01	Protective Facial Coverings During Pandemic/Epidemic	New
8800	Religious/Patriotic Ceremonies and Observances	Revised

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

2. Recommend the Board approve the following:
- 1-Year contract with REA, effective August 1, 2020 through July 31, 2021.
  - MOU for the reopening of schools for the 2020/21 school year during the COVID-19 pandemic.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

3. Recommend the Board approve the following counselors to be compensated for serving as Building Test Coordinators during the 2020-2021 school year:

Danielle Ray	\$500.00
Amy Mohan	\$500.00
Kathy Sandberg	\$500.00

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

4. Recommend the Board approve the following supplementals:

Sabrina Biagetti Asst. Band Director

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

5. Recommend the Board approve a contract with Mahoning Valley Regional Council of Governments to provide career counseling services for the 2020-2021 school year.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

6. Recommend the Board approve the placement of Coleman Clinical Counselors in the district for the 2020-2021 school year. There is no charge for this service.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

7. Recommend the Board approve a contract with Educational Alternatives to provide transportation services for the 2020-2021 school year.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

8. Recommend the Board approve the agreement between Rootstown Local Schools and SUPER Learning Center to educate a special needs student for the 2020-2021 school year.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

9. Recommend the Board approve the agreement between Rootstown Local Schools and LLA Therapy to provide therapy services for one student for the 2020-2021 school year.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_  
\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

X. Reports

XI. Old Business

- Community Committee
- Strategic Planning - Student Success, Facilities, and Finance

XII. New Business

- Next regular meeting - November 16, 2020
- Appointment of New Board of Education Members
- Oath of Office

XIII. Motion to go into executive session to to consider the investigation of complaints against public officials.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch

XIV. Investigative Report and Recommendations - Tim Dimoff and Maria Markakis

XV. Capital Conference Registration

XVI. Adjournment @ \_\_\_\_\_.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

\_\_\_\_\_ Kline \_\_\_\_\_ Siciliano \_\_\_\_\_ Waesch