

**WESTLAKE CITY SCHOOLS  
BOARD OF EDUCATION MINUTES**

**Monday, May 4, 2020 – 6:00 P.M. Board Special Meeting  
Virtual Meeting Streamed Via YouTube**

**1. Opening**

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A. Call to Order: 6:00 P.M.

B. Roll Call

Mr. Kraft	Present
Dr. Stoll	Present
Mr. Finucane	Present
Mrs. Leszynski	Present
Mrs. Pirnat	Present

**2. Executive Session**

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A. Adjourn to Executive Session to discuss the Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or Compensation of an Employee or Official, and/or the Investigation of Charges or Complaints Against an Employee, Official, Licensee or Student

Moved by Dr. Stoll      Seconded by Mrs. Pirnat

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Enter Executive Session at 6:01 P.M.

B. Adjourn Executive Session and Return to Regular Session

Adjourn Executive Session and Return to Regular Session at 6:27 P.M.

Moved by Mrs. Leszynski      Seconded by Dr. Stoll

### 3. Reconvene to Regular Session

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A. Pledge of Allegiance

B. Acknowledgement of Visitors

C. Approval of Agenda

Motion to Approve Agenda with the addition of a Resolution to Render Complaint Disposition, added as item 4- A.

Moved by Mr. Kraft    Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

### 4. Board Items

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#### Resolution 20- 111

A. Resolution to Render Complaint Disposition

WHEREAS, on or around December 4, 2019, Ms. Fayrouz Ashakih filed a complaint pursuant to Board Policies 2260 (“Nondiscrimination and Access to Equal Educational Opportunity”) and 5517 (“Anti-Harassment”);

WHEREAS, pursuant to Board policy, an investigation was conducted by the District’s Compliance Officer, Dr. Stephanie Morgan;

WHEREAS, as part of her investigation, Dr. Morgan conducted interviews with Ms. Ashakih, the student on whose behalf the complaint was filed, the individuals alleged to have acted in a discriminatory manner and others believed to have information pertinent to the investigation;

WHEREAS, after completing her investigation, Dr. Morgan drafted a report summarizing her investigation;

WHEREAS, Dr. Morgan’s investigation report was provided to Dr. Goggin;

WHEREAS, Dr. Goggin issued a decision regarding the complaint on or around January 28, 2020 and provided a copy to Ms. Ashakih;

WHEREAS, Dr. Goggin concluded the investigation did not reveal harassing or discriminatory conduct based upon the student's disability, nor was there evidence that discriminatory conduct resulted in substantial interference with his educational performance, the creation of an intimidating, hostile, or offensive learning environment, or an interference with his ability to participate in or benefit from a class or an educational program or activity;

WHEREAS, on or around April 5, 2020, Ms. Ashakih sent Dr. Goggin an email message stating that she disagreed with Dr. Goggin's findings and wished to appeal;

WHEREAS, Dr. Goggin provided Ms. Ashakih with notice of the time and date of the appeal before the Board;

WHEREAS, on April 27, 2020, the Board heard Ms. Ashakih's appeal in executive session in accordance with Board Policy 5517;

WHEREAS, during the April 27, 2020 meeting, Ms. Ashakih advised the Board of her desire for the Board members to review documents;

WHEREAS, Ms. Ashakih acknowledged she had not provided these documents prior to the Board meeting as requested by Dr. Goggin in order to facilitate the Board's review of the information;

WHEREAS, the Board nevertheless provided Ms. Ashakih with an opportunity to provide these documents for the Board members to review;

WHEREAS, although Ms. Ashakih was given until 5:00 p.m. on April 29, 2020 to provide documents, she provided documents after that time;

WHEREAS, all of these documents were provided to the Board members for their review and consideration as part of the appeal;

WHEREAS, the Board reconvened, in executive session, for the purpose of completing the appeal and the review of documents provided by Ms. Ashakih;

WHEREAS, the Board considered the information presented by Ms. Ashakih during the executive session, information presented by Dr. Goggin and Dr. Morgan during the executive session, documents and evidence emailed to the Board President on April 29, 2020, Dr. Morgan's investigative report and Dr. Goggin's findings;

WHEREAS, having had the opportunity to review the aforementioned information, the Board determines that it is sufficiently informed and prepared to render its own final disposition as to the Complaints as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Westlake City School District that:

Section 1: Based upon the evidence presented, it is hereby found and determined that the evidence presented does not demonstrate, by a preponderance of the evidence, that the student was subjected to harassment or discrimination based on his disability.

Section 2: Ms. Ashakih did not present sufficient evidence in the appeal hearing or through the subsequently provided documentation, for the Board to conclude that the findings made by Dr. Goggin in his January 28, 2020 letter of determination were in error. To the contrary, the Board finds that Dr. Morgan conducted a thorough investigation, that Dr. Goggin's letter was well-reasoned and that his conclusions were supported by the evidence gathered in the investigation.

Section 3: Based upon the foregoing findings and fact and conclusions, this Board hereby affirms Dr. Goggin's final determination and adopts Dr. Goggin's letter dated January 28, 2020 as its findings and conclusions in this matter.

Section 4: The Treasurer of this Board and the Board President are hereby directed and authorized to provide Ms. Ashakih and all staff members who were alleged to have engaged in harassment or discriminatory conduct with a letter indicating the Board's disposition of this appeal and a copy of this Resolution.

Section 5: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public, or otherwise in compliance with the law.

Moved by Mrs. Pirnat      Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

## **5. Discussion Items**

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### **A. District Finances Including Payments and Refunds**

## 6. Board Committee Reports

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- A. Legislative Liaison
- B. Student Achievement Liaison
- C. Policy Committee
- D. Finance/Audit Committee
- E. Curriculum Committee
- F. Community Outreach Committee

## 7. Superintendent Recommendations

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### Resolution 20- 112

- A. Resolution to Approve Reduction of Community Service Hours for the Graduating Class of 2020

RESOLVED that the Westlake Board of Education approves the reduction of community service hours from sixty (15 per year) to forty-five and allows the high school administration to waive required hours on a case by case basis for the Class of 2020.

Moved by Mrs. Leszynski    Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

## Resolution 20- 113

### B. Resolution to Approve Reduction of Credits

RESOLVED that the Westlake Board of Education approves the reduction of required local credits from 23 credits to the State minimum of 20 credits for the Class of 2020 as follows:

English language arts – 4 credits

Math – 4 credits, including Algebra II

Science – 3 credits including life, physical and advanced course

Social Studies – 3 credits including world history, American history, American government including financial literacy

Health education – .5 credit

Physical education - .5 credit or PE waiver

Electives – 5 credits including 1 fine art or practical art, 1 technology course, 3 other

Moved by Mrs. Leszynski    Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

## 8. Board Comments

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## 9. Closing

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### A. Adjournment

Moved by Mrs. Pirnat    Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Meeting Adjourned at 7:41 P.M.

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President

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Treasurer

The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.