

**WESTLAKE CITY SCHOOLS  
BOARD OF EDUCATION MINUTES  
ORGANIZATIONAL MEETING  
January 3, 2007 – 4:00 p.m.  
Administration Building – Board Room  
27200 Hilliard Blvd.**

Call to Order: Time: 4:05 p.m.

Roll Call:

Mr. Beal	<u>Present</u>
Mrs. D'Ettorre Wargo	<u>Present</u>
Mr. Mays	<u>Present</u>
Mr. O'Malley	<u>Present</u>
Ms. Rocco	<u>Present</u>

- A. Elect President Pro Tem to Conduct Election for President  
\*\*President Pro Tem Mays conducts meeting.\*\*

Exhibit A

Motion to Dispense with Pledge of Allegiance

Motion by Mrs. D'Ettorre Wargo  
Seconded by Ms. Rocco

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

Approval of Agenda

Motion by Ms. Rocco  
Seconded by Mr. O'Malley

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

Acknowledgement of Visitors – President Pro Tem Mays welcomed all in attendance.

\*Hearing of Public (15 minutes) Agenda Items – None.

B. Election of Officers

1. Resolution to Elect the Board President for 2007

Exhibit B-1

- a. Administer Oath of Office to the Board's President by the Treasurer  
**\*\*\*President Wargo Conducts the Meeting\*\*\*** Exhibit B-1-a
2. Resolution to Elect the Board Vice-President for 2007 Exhibit B-2
- a. Administer Oath of Office to the Board's Vice President by the Treasurer Exhibit B-2-a
3. Resolution to Authorize the Treasurer to File Form 904 (Certification of Members and Officers of the Board) Exhibit B-3
- C. Adjourn to Executive Session
- Time: 4:20 p.m.
- Purpose: Discuss Personnel
- Motion by Mr. Mays
- Seconded by Mr. O'Malley
- Roll Call Vote:
- |                      |            |
|----------------------|------------|
| Mr. Beal             | <u>AYE</u> |
| Mrs. D'Ettorre Wargo | <u>AYE</u> |
| Mr. Mays             | <u>AYE</u> |
| Mr. O'Malley         | <u>AYE</u> |
| Ms. Rocco            | <u>AYE</u> |
- Others in attendance: OSBA Representative, Rob Delane
- Adjourn Executive Session and Return to Regular Session
- Time: 5.19 p.m.
- D. Board Organizational Matters
1. Resolution to Adopt a Tentative Board Meeting Calendar for 2007 Exhibit D-1
2. Resolution to Approve the Purchase of Liability Insurance for each Board Member Exhibit D-2
3. Resolution to Establish a Board Service Fund for 2007 Exhibit D-3
4. Resolution to Appoint Board Member as OSBA Legislative Liaison Exhibit D-4
- E. Other Organizational Matters
1. Resolution to Purchase Liability Insurance for the following: Exhibit E-1
- |                |                      |               |
|----------------|----------------------|---------------|
| Treasurer      | Administrative Staff | Volunteers    |
| Superintendent | Teaching Staff       | Support Staff |
2. Resolution to Authorize Treasurer to Secure Advances Exhibit E-2
3. Resolution to Authorize Transfer of Funds Exhibit E-3
4. Resolution to Approve Standing Authorizations Exhibit E-4
5. Resolution to Permit Board Members, Superintendent and Treasurer to Attend Appropriate Seminars and Conferences Exhibit E-5
6. Resolution to Appoint School Attorneys Exhibit E-6
7. Resolution to Approve Board of Education Membership in OSBA, OSBA Legal Assistance Fund, Greater Cleveland School Boards Association, Alliance for Adequate School Funding, and Westlake Chamber of Commerce Exhibit E-7
8. Resolution to Appoint Superintendent as Purchasing Agent/Authority Exhibit E-8

- |   |              |
|---|--------------|
| 9. Resolution to Appoint Prevailing Wage Coordinator, Asbestos Coordinator, ADA Compliance Officer, Safety Coordinator and Records Retention Officer                            | Exhibit E-9  |
| 10. Resolution to Appoint Title IX Hearing Officer, Nondiscrimination Hearing Officer, Sexual Harassment Hearing Officer, Suspension Hearing Officer, Expulsion Hearing Officer | Exhibit E-10 |
| 11. Resolution to Reaffirm the Vision Statement and Mission Statement of the Westlake City Schools  | Exhibit E-11 |
| 12. Resolution to Reaffirm Board of Education Belief Statements   | Exhibit E-12 |
| 13. Resolution to Reaffirm Framework for Board Operations   | Exhibit E-13 |
| 14. Resolution to Approve 2007-2008 Tax Budget-(Tabled)   | Exhibit E-14 |

F. New Business

- |  |             |
|--|-------------|
| 1. Resolution to Approve Resignation for Purpose of Retirement   | Exhibit F-1 |
| 2. Resolution to Approve Field Trip  | Exhibit F-2 |
| 3. Resolution to Approve FMLA for Staff Member   | Exhibit F-3 |
| 4. Resolution to Continue James Breitenbach as Interim Director of Transportation of the Board of Education of the Westlake City School District | Exhibit F-4 |

G. Other – Superintendent Costanza reviewed his previous request to reallocate a portion of the budgetary savings in healthcare to technology, permanent improvement and maintenance needs.

H. \*Meeting Open to the Public – No participation.

I. Adjournment

President D'Ettorre Wargo adjourned the meeting at 6:27 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.

EXHIBIT A  
RES. #07-1

NOMINATION AND ELECTION OF OFFICER  
(ORC 3313.14)

I, Mark Pepera, Treasurer, called for nominations for President Pro Tem.

Renee D'Ettorre Wargo placed the name of Tom Mays in nomination.

WHEREAS, the Board voted on the nominee for the position of President Pro Tem of the Board of Education with the following results:

David Beal	<u>Aye</u>	No	Abstain
Renee D'Ettorre Wargo	<u>Aye</u>	No	Abstain
Thomas Mays	<u>Aye</u>	No	Abstain
Joseph O'Malley	<u>Aye</u>	No	Abstain
Andrea Rocco	<u>Aye</u>	No	Abstain

NOW, THEREFORE, BE IT RESOLVED under the provisions of Ohio Revised Code 3313.14, the Board member herein named received the majority of AYE votes cast by the Board and is hereby declared President Pro Tem of the Board of Education:

President Pro Tem: Tom Mays

EXHIBIT B-1  
RES. #07-2

NOMINATION AND ELECTION OF OFFICER – BOARD PRESIDENT  
(ORC 3313.14)

WHEREAS statutes require the board members to elect one of the board members to be the President of the Board of Education for the calendar year 2007;

WHEREAS nominations for the office of President were made by the board members with the following being nominated:

1st Nominee: Renee D'Ettorre Wargo

WHEREAS the board voted on the nominee for the position of President of the Board of Education for the calendar year 2007 with the results as follows:

David Beal	<u>Aye</u>	No	Abstain
Renee D'Ettorre Wargo	<u>Aye</u>	No	Abstain
Thomas Mays	<u>Aye</u>	No	Abstain
Joseph O'Malley	<u>Aye</u>	No	Abstain
Andrea Rocco	<u>Aye</u>	No	Abstain

NOW, THEREFORE, BE IT RESOLVED under the provisions of Ohio Revised Code 3313.14, the board member herein named received the majority of AYE votes cast by the board and is hereby declared President of the Board of Education for the calendar year 2007.

President: Renee D'Ettorre Wargo

EXHIBIT B-1-a

PRESIDENT'S OATH OF OFFICE

I, **Renee D'Ettorre Wargo**, do solemnly swear (or affirm) that I will support the Constitution of the United States of America, the Constitution of the State of Ohio, and that I will faithfully and impartially discharge my duties as President of the School Board in and for the said Westlake City School District, Westlake, Ohio, to the best of my ability and in accordance with the laws now in effect and hereafter to be enacted during my continuance in said office and until my successor is elected and qualified.

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Signature of Board President

Sworn to and subscribed before me, January 3, 2007.

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Signature of Oath Administrator

EXHIBIT B-2  
RES. #07-3

NOMINATION AND ELECTION OF OFFICER  
BOARD VICE-PRESIDENT  
(ORC 3313.14)

WHEREAS statutes require the board members to elect one of the board members to be the Vice-President of the Board of Education for the calendar year 2007;

WHEREAS nominations for the office of Vice-President were made by the board members with the following being nominated:

1st Nominee: David Beal

2nd Nominee: Tom Mays

Mr. Beal made a brief statement about his interest in the vice presidency.

Mr. Mays made a brief statement about his interest in the vice presidency.

WHEREAS the board voted on the first nominee for the position of Vice-President of the Board of Education for the calendar year 2007 with the results as follows:

David Beal	<u>Aye</u>	No	Abstain
Renee D'Ettorre Wargo	Aye	<u>No</u>	Abstain
Thomas Mays	Aye	<u>No</u>	Abstain
Joseph O'Malley	Aye	<u>No</u>	Abstain
Andrea Rocco	<u>Aye</u>	No	Abstain

WHEREAS the board voted on the second nominee for the position of Vice-President of the Board of Education for the calendar year 2007 with the results as follows:

David Beal	Aye	<u>No</u>	Abstain
Renee D'Ettorre Wargo	<u>Aye</u>	No	Abstain
Thomas Mays	<u>Aye</u>	No	Abstain
Joseph O'Malley	<u>Aye</u>	No	Abstain
Andrea Rocco	Aye	<u>No</u>	Abstain

NOW, THEREFORE, BE IT RESOLVED under the provisions of Ohio Revised Code 3313.14, the board member herein named received the majority of AYE votes cast by the board and is hereby declared Vice-President of the Board of Education for the calendar year 2007.

Vice-President: Tom Mays

EXHIBIT B-2-a

VICE-PRESIDENT'S OATH OF OFFICE

I, **Thomas C. Mays**, do solemnly swear (or affirm) that I will support the Constitution of the United States of America, the Constitution of the State of Ohio, and that I will faithfully and impartially discharge my duties as Vice President of the School Board in and for the said Westlake City School District, Westlake, Ohio, to the best of my ability and in accordance with the laws now in effect and hereafter to be enacted during my continuance in said office and until my successor is elected and qualified.

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Signature of Board Vice-President

Sworn to and subscribed before me, January 3, 2007.

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Signature of Oath Administrator



EXHIBIT B-3  
RES. #07-4

CERTIFICATE OF NAMES OF MEMBERS AND OFFICERS  
(ORC 3313.14)

RESOLVED THAT

the Westlake City Schools Board of Education authorizes the Treasurer to file Form 904,  
Certification of Members and Officers of the Board of Education, as follows:

Treasurer's Office, Westlake City School District, Westlake, Ohio, January 3, 2007

**TO THE COUNTY AUDITOR OF CUYAHOGA COUNTY:**

It is hereby certified that the following is a correct list of the Members and Officers of the Board  
of Education of said School District, after the first Monday of January, 2007 and duly qualified,  
with the post office address of each.

<b>Name</b>	<b>PO Address</b>	<b>Term Expires</b>
Mr. David Beal	2155 Macon Court, Westlake, OH 44145	12/31/09
Mrs. Renee D'Ettorre Wargo	28203 Preston Place, Westlake, OH 44145	12/31/07
Mr. Thomas Mays	1811 Sperry's Forge Trail, Westlake, OH 44145	12/31/07
Mr. Joseph O'Malley	3408 Balsam Drive, Westlake, OH 44145	12/31/07
Ms. Andrea Rocco	3110 Dover Center Road, Westlake, OH 44145	12/31/09

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Treasurer, Westlake City Schools Board of Education

Motion by Mr. Mays

Seconded by Mr. O'Malley

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT D-1  
RES. #07-5

RESOLUTION TO ADOPT TENTATIVE BOARD MEETING CALENDAR FOR 2007

RESOLVED THAT

the Westlake City Schools Board of Education adopts a tentative Board meeting calendar for 2007 as follows:

2007 WESTLAKE SCHOOL BOARD CALENDAR - OFFICIAL MEETING DATES  
(2nd and 4th Mondays)

Meetings held at Administration Building, 27200 Hilliard Blvd., 5:30 p.m.  
ORC 3313.15

January 3 (*1 <sup>st</sup> Wednesday)	Organizational Meeting
January 22	Regular Meeting
February 12	Regular Meeting - Work Session
February 26	Regular Meeting
March 12	Regular Meeting - Work Session
March 26	Regular Meeting
April 2 (*1 <sup>st</sup> Monday)	Regular Meeting - Work Session
April 23	Regular Meeting
May 14	Regular Meeting - Work Session
May 21 (*3 <sup>rd</sup> Monday)	Regular Meeting
June 11	Regular Meeting - Work Session
June 25	Regular Meeting
July 23	Regular Meeting
August 13	Regular Meeting - Work Session
August 27	Regular Meeting
September 10	Regular Meeting - Work Session
September 24	Regular Meeting
October 8	Regular Meeting – Work Session
October 22	Regular Meeting
November 12	Regular Meeting – Work Session
November 26	Regular Meeting
December 10	Regular Meeting – Work Session
December 17 (*3 <sup>rd</sup> Monday)	Regular Meeting

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT D-2  
RES. #07-6

APPROVAL OF LIABILITY INSURANCE  
BOARD OF EDUCATION MEMBERS  
and  
BOARD OF EDUCATION AS AN ENTITY

WITNESS our hands, this 3<sup>rd</sup> day of January, 2007.

WHEREAS, the Westlake City Schools Board of Education may purchase liability insurance for its individual members, and,

WHEREAS, the Westlake City Schools Board of Education contends such an expenditure is both appropriate and prudent.

BE IT RESOLVED, now, that the administration secures liability insurance in the amount of \$1,000,000 each claim/\$2,000,000 aggregate (\$6,000,000 umbrella) of liability insurance for the individual members of the Westlake City Schools Board of Education and the Westlake City Schools Board of Education as an entity.

BE IT FURTHER RESOLVED, now, that the administration expedites such contracts upon receipt of written quotations, making said award based upon administrative judgment.

Motion by Mr. Mays

Seconded by Mr. O'Malley

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT D-3  
RES. #07-7

ESTABLISHMENT OF BOARD OF EDUCATION SERVICE FUND  
(ORC 3315.15)

WITNESS our hands, this 3<sup>rd</sup> day of January, 2007.

WHEREAS, the Westlake City Schools Board of Education may, as prescribed in ORC 3315.15, set aside each year from the general fund a sum not to exceed seventy-five cents for each child so enrolled, or seven thousand five hundred dollars, whichever is greater, and,

WHEREAS, the amount set aside shall be placed in a fund known as the "service fund," and,

WHEREAS, the amount shall be used only in paying the expenses of members of such Board of Education actually incurred in the performance of their duties.

BE IT RESOLVED, now, that such "service fund" be established in the amount of \$4,000 for the calendar year beginning January 1, 2007.

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal AYE

Mrs. D'Ettorre Wargo AYE

Mr. Mays AYE

Mr. O'Malley AYE

Ms. Rocco AYE

EXHIBIT D-4  
RES. #07-8

RESOLUTION TO APPOINT BOARD MEMBER AS OSBA LEGISLATIVE LIAISON

RESOLVED THAT

the Westlake City Schools Board of Education appoints **David Beal** as the 2007 OSBA  
Legislative Liaison for the Westlake City Schools.

Motion by Mr. Beal

Seconded by Mr. O'Malley

Roll Call Vote:

Mr. Beal AYE

Mrs. D'Ettorre Wargo AYE

Mr. Mays AYE

Mr. O'Malley AYE

Ms. Rocco AYE

EXHIBIT E-1  
RES. #07-9

APPROVAL OF LIABILITY INSURANCE AMOUNT  
(ORC 3313.203)

WITNESS our hands, this 3<sup>rd</sup> day of January, 2007.

WHEREAS, the Westlake City Schools Board of Education may, as prescribed in ORC 3313.203, purchase liability insurance for its employees, and,

WHEREAS, the Westlake City Schools Board of Education contends such an expenditure is both appropriate and prudent.

BE IT RESOLVED, now, that the administration secure liability insurance in the amount of \$1,000,000 each claim/\$2,000,000 aggregate (\$6,000,000 umbrella) of liability insurance for following individuals/groups:

Treasurer  
Administrative Staff  
Support Staff

Superintendent  
Teaching Staff  
Volunteers

BE IT FURTHER RESOLVED, now, that the administration expedites such contracts upon receipt of written quotations, making said award based upon administrative judgment.

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT E-2  
RES. #07-10

AUTHORIZE TREASURER TO SECURE ADVANCES FROM AUDITOR  
FOR FUNDS LAWFULLY DUE THE SCHOOL DISTRICT

WITNESS, our hands this 3<sup>rd</sup> day of January, 2007.

WHEREAS, the Westlake City School District Board of Education, Cuyahoga County, finds it necessary to make use of the funds now in the County Treasury to the accounts of said school district and lawfully applicable to the purpose of the current fiscal year,

THEREFORE, BE IT RESOLVED, the Westlake City Schools Board of Education requests the auditor of Cuyahoga County, Ohio, to issue an order to the Cuyahoga County Treasurer to pay to the Treasurer of this Board of Education such funds of the current collection of taxes assessed and collected for and in behalf of said school district, which shall be held and treated as an advance payment on the current collection of taxes due said school district at the ensuing settlement date as provided by law;

BE IT FURTHER RESOLVED, that the Treasurer of the Westlake City Schools Board of Education be and he is hereby authorized and directed to certify a copy of this resolution to the Cuyahoga County Auditor and make such other certifications and reports to the Cuyahoga County Auditor as may be necessary to make this resolution effective.

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal AYE

Mrs. D'Ettorre Wargo AYE

Mr. Mays AYE

Mr. O'Malley AYE

Ms. Rocco AYE

EXHIBIT E-3  
RES. #07-11

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS

WITNESS, our hands this 3<sup>rd</sup> day of January, 2007.

WHEREAS, Ohio Revised Code, Section 5705.40, provides that excess funds appropriated to a certain classification within each fund may be transferred to any other appropriation classification within such fund; and

WHEREAS, Board Policy DBK states that the Board may, by resolution, grant permission to the fiscal officer the right to transfer funds from one appropriation line item to another within limits prescribed by law; and

WHEREAS, it is the intent of the Board to permit the transfer of excess funds appropriated to a certain classification within each fund to any other appropriation within such fund;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Westlake City School District that the Board of Education delegates to its president the authority to approve on a monthly basis transfer of excess funds appropriated to a certain classification within each fund to any other appropriation classification within such fund as initiated and recommended by the district Treasurer and approved by the Superintendent.

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>



EXHIBIT E-4  
RES. #07-12

RESOLUTION FOR STANDING AUTHORIZATIONS

WHEREAS, the Westlake City Schools Board of Education places responsibility for the financial management of the district on the treasurer and superintendent and,

WHEREAS, the Board is ever mindful of its obligation to the citizens and taxpayers of the City of Westlake to exercise sound fiscal practices, and,

WHEREAS, the Board recognizes that sound fiscal practices include the ideal of efficiency and the continuous effort to maximize the value of all resources for the education of all pupils and,

WHEREAS, the Board acknowledges that in order to meet its obligation to the community, achieve efficiency and maximize the return on its resources, the treasurer and superintendent must be able to make certain decisions in a timely and forthright manner within the constraints of applicable statutes and Board policy, and,

BE IT RESOLVED, that the Westlake City Schools Board of Education hereby approves the following standing authorizations for the calendar year 2007 to be exercised by the treasurer and superintendent only when, in their judgment, such exercise meets the specifications so cited, herein:

- to invest interim funds at the most productive interest rate whenever such funds are available;
- to pay all bills within the limits of the appropriations resolution as bills are received and when the goods and/or services have been received as ordered;
- to employ and set the salary of such temporary personnel as may be required for emergency conditions, with such employment to be submitted to the Board for action at its next regular meeting.
- to provide to members of the professional and support staff as perquisites plaques and other similar memorials to recognize exemplary and extended service to the school district and appropriate refreshments for curriculum, professional development, orientation, in-service and other similar meetings that are held outside of the normal school day or outside of the normal workplace.
- to apply for grants under the guidelines of each grant application and authorize the district's participation in the programs including but not limited to: Title VI-B Flow-Thru, Preschool, Title VI, Drug-Free Schools, Eisenhower, and Title VI-R and the Consolidated Local Plan.
- to sign all contracts of employment approved by the Board of Education.
- to authorize releases for the purpose of interscholastic athletic eligibility.

EXHIBIT E-4  
(Continued)

- to approve reimbursement of commercial driving license fees for transportation employees consistent with negotiated contract.
- to authorize the payment of reasonable taxes for approved purchases or expenses when a tax exemption certificate cannot be used or its use is impractical under the circumstances.

Effective: January 1, 2007

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT E-5  
RES. #07-13

RESOLUTION TO ATTEND SEMINARS/CONFERENCES

WHEREAS, the Board of Education Members, superintendent, and treasurer are charged with the responsibility of operating the school district; and,

WHEREAS, the Board members are responsible for formulating policies that govern the school district; and,

WHEREAS, the treasurer and superintendent are responsible for the management of the school district; and,

WHEREAS, the Board of Education encourages attendance at seminars and conferences for its management team,

BE IT RESOLVED that Board Members, the treasurer, and the superintendent may attend local, state, and national seminars/conferences that are deemed necessary to carry out their job requirements and that are within the appropriation levels approved by the Board of Education.

BE IT FURTHER RESOLVED, the Westlake City Schools Board of Education feels that payment of expenses for such training sessions for the management team is both appropriate and prudent.

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal AYE

Mrs. D'Ettorre Wargo AYE

Mr. Mays AYE

Mr. O'Malley AYE

Ms. Rocco AYE

EXHIBIT E-6  
RES. #07-14

RESOLUTION TO APPROVE SCHOOL ATTORNEYS  
(ORC 3313.203 & 3317.171)

WHEREAS, specialized legal services are necessary from time to time for the management, control, defense, or other purposes of the school district's schools, employees, and assets; and,

WHEREAS, statutes and the board's discretionary powers permit employment or retention of temporary, as needed, on-call, on-demand legal counsel in addition to the counsel appointed by statute,

NOW, THEREFORE, BE IT RESOLVED under the provisions of ORC 3313.203, ORC 3317.171, and ORC 3313.47, the legal services herein named are retained on an as-needed, on-demand, on-call basis to assist with the management, control, and defense of this school district and its employees and board members;

BE IT FURTHER RESOLVED that the fees and costs for such services shall be at the usual and customary rates for the professional services rendered upon receipt of an itemized statement by the school district treasurer; and

BE IT FINALLY RESOLVED such legal services shall be available, on-demand, and at the request of the board president (or other members of the board upon verbal approval by the president) and the superintendent (or other district administrators upon verbal approval by the superintendent).

Legal Firm/Attorney

Ulmer & Berne  
Bond Court Bldg., Suite 900

1300 E. 9th St.  
Cleveland, Ohio 44114

Chester L. Sumpter & Assoc.  
LLC  
16929 Detroit Avenue  
Lakewood, Ohio 44107

Squire, Sanders & Dempsey  
4900 Key Tower

127 Public Square  
Cleveland, OH 44114-1304

Kadish, Hinkel & Weibel  
1717 E. Ninth St., Suite 2112  
Cleveland, Ohio 44114

Pepple & Waggoner  
5005 Rockside Road, Suite  
260

Independence, Ohio 44144

Brindza, McIntyre & Seed  
LLP  
2001 Crocker Rd., Suite 280  
Westlake, Ohio 44145

Effective date: January 1, 2007

EXHIBIT E-6  
(Continued)

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal AYE

Mrs. D'Ettorre Wargo AYE

Mr. Mays AYE

Mr. O'Malley AYE

Ms. Rocco AYE

EXHIBIT E-7  
RES. #07-15

RESOLUTION TO APPROVE BOARD OF EDUCATION MEMBERSHIP IN OSBA,  
GREATER CLEVELAND SCHOOL SUPERINTENDENTS ASSOCIATION,  
AND WEST SHORE CHAMBER OF COMMERCE

RESOLVED THAT

the Westlake City Schools Board of Education approves continued membership in the Ohio School Boards Association, Greater Cleveland School Superintendents Association, and West Shore Chamber of Commerce for calendar year 2007 as indicated below:

Ohio School Boards Association	\$6,502
Basic Membership	\$6,207
Briefcase	\$ 110
School Management News	\$ 185
Ohio Schools Boards Legal Assistance Fund	\$250
Greater Cleveland School Superintendents Association	\$100
Alliance for Adequate School Funding	\$3,500
West Shore Chamber of Commerce	\$400

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

Ms. Rocco AYE

EXHIBIT E-9  
RES. #07-17

RESOLUTION TO APPOINT PREVAILING WAGE COORDINATOR,  
ASBESTOS COORDINATOR, ADA COMPLIANCE OFFICER,  
SAFETY COORDINATOR, AND RECORDS RETENTION OFFICER

RESOLVED THAT

the Westlake City Schools Board of Education appoints David Puffer, Director of Business Affairs, as the following for the District for 2007:

- Prevailing Wage Coordinator
- Asbestos Management Designated Person per Code of Federal Regulations CFR 763.84 of the Asbestos Hazard Emergency Response Act (AHERA)
- ADA (Americans with Disabilities Act) Compliance Officer (36 CFR Part 1191)
- Safety Coordinator (ORC 4167.04)
- Records Retention Officer (ORC 149.41)

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>



EXHIBIT E-10  
RES. #07-18

RESOLUTION TO APPOINT TITLE IX HEARING OFFICER,  
NONDISCRIMINATION HEARING OFFICER, SEXUAL HARASSMENT HEARING  
OFFICER, SUSPENSION HEARING OFFICER AND EXPULSION HEARING OFFICER

RESOLVED THAT

the Westlake City Schools Board of Education approves James Costanza or his designee as the following for the District for 2007:

- Title IX Hearing Officer (Board Policy ACA/ACA-R)
- Nondiscrimination Hearing Officer (Board Policy AC)
- Sexual Harassment Hearing Officer (Board Policy ACAA)
- Suspension Hearing Officer (3313.66-3313.661)
- Expulsion Hearing Officer (3313.66-3313.661)

Motion by Mr. O'Malley

Seconded by Mr. Beal

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT E-11  
RES. #07-19

RESOLUTION TO REAFFIRM VISION STATEMENT  
AND MISSION STATEMENT OF THE WESTLAKE CITY SCHOOLS

RESOLVED THAT

the Westlake Board of Education reaffirms the Vision Statement and Mission Statement of the Westlake City Schools as follows:

**VISION STATEMENT**

The Westlake City School District will provide a dynamic, student centered, positive learning environment. Our district will be characterized by actively engaged learners, mutual respect, shared knowledge, pursuit of new skills and capabilities, collaborative learning, willingness to take action, a team commitment to data-driven continuous improvement, and tangible results.

**MISSION STATEMENT**

WE EDUCATE FOR EXCELLENCE...

Empowering all students to achieve their educational goals,  
to direct their lives, and to contribute to society.

Motion by \_\_\_\_\_ Mr. Mays \_\_\_\_\_

Seconded by \_\_\_\_\_ Ms. Rocco \_\_\_\_\_

Roll Call Vote:

Mr. Beal \_\_\_\_\_ AYE \_\_\_\_\_

Mrs. D'Ettorre Wargo \_\_\_\_\_ AYE \_\_\_\_\_

Mr. Mays \_\_\_\_\_ AYE \_\_\_\_\_

Mr. O'Malley \_\_\_\_\_ AYE \_\_\_\_\_

Ms. Rocco \_\_\_\_\_ AYE \_\_\_\_\_

EXHIBIT E-12  
RES. #07-20

RESOLUTION TO REAFFIRM BOARD OF EDUCATION BELIEF STATEMENTS

RESOLVED THAT

the Westlake Board of Education reaffirms the Board of Education Belief Statements as follows:

1. Leadership in Education is not about our District being number one, it is about striving to make our students number one. We must develop their skills, we must harness our resources, from the outside as well as inside. We must employ the best and brightest and focus on taking care of students. The rest flows from that point forward. (Leadership in Education)
2. We believe that the Westlake City School District is a superior performing student-focused district. (Academic)
3. Our primary responsibility is to insure that every student is challenged to excel and to achieve at his or her maximum potential (Academic)
4. The support of the community is critical to our District's success and will be earned through effective, open, and honest communication and demonstrated results. (Communication)
5. We have an obligation to preserve the community's assets and to provide a safe, well-maintained environment for learning. (Facilities)
6. The administration, staff, and Board are partners in the entire educational process for our students and are responsible for removing those barriers, which could impact upon the achievement of our students. (Road Blocks) (Administration/Staff)
7. The administration, staff and Board have a responsibility to work collaboratively in a climate of mutual respect, focusing on student achievement. (Climate)
8. Extracurricular and co-curricular programs and activities are an integral part of the educational process and can significantly contribute positively to the character of our students while bringing significant recognition, pride and support from the community. (Extracurricular/Co-curricular)

Motion by Mr. Mays

Seconded by Ms. Rocco

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT E-13  
RES. #07-21

RESOLUTION TO REAFFIRM FRAMEWORK FOR BOARD OPERATIONS

RESOLVED THAT

the Westlake Board of Education reaffirms the framework for Board operations as adopted February 24, 2000 as follows:

1. Members of this Board vote individually but act as one as determined by the majority of the Board.
2. This Board is a single unit with five contributing members.
3. The strength of this Board is in the diversity of its members.
4. The president of this Board acts as the spokesperson for this Board.
5. Board members represent this Board as a whole.
6. Members of this Board realize that we cannot be all things to all people.
7. This Board believes that all people should be treated with dignity and respect.
8. The customers of this Board are our students and our taxpayers.
9. This Board's first and foremost responsibility is to be the trustee for the education of our students, within the financial parameters determined by our taxpayers.
10. This Board, the Superintendent and the Treasurer will work together as a team.
11. This Board delegates the responsibility of the daily management of the District to the Superintendent and the Treasurer in accordance with the Ohio Revised Code.

Motion by Ms. Rocco

Seconded by Mr. Mays

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT E-14  
***TABLED***

RESOLUTION TO APPROVE 2007–2008 TAX BUDGET

RESOLVED THAT

the Westlake Board of Education approves the 2007-2008 tax budget.

Board Discussion:

Treasurer Pepera: He commented that if the Board wishes to discuss or revise the tax budget, the proposed resolution should be tabled and the Treasurer should be directed to apply for an extension.

O'Malley: He believes the Board should assess the additional .1 mill and earmark it for technology. He indicated taking this action puts us in compliance with the statute.

Mays: He asked the Treasurer if the \$142,000 from the .1 mill is the projected 'net' amount.

Pepera: He confirmed that \$142,000 is the projected amount to be generated from assessing an additional .1 mill.

Wargo: She expressed some concern that requesting this additional millage does not require a vote of the people. She further stated the Board needs to be consistent when seeking additional revenue options.

Mays: He stated in light of our technology needs, the Board should consider asking for the additional millage.

O'Malley: He agreed with Mr. Mays' comment and indicated the Board should consider this request based upon total financial need.

Beal: He commented seeking an additional .1 mill might undermine the overall financial need for permanent improvements in the District.

Mays: He stated a public hearing would allow the community to voice their opinions on this issue.

Wargo: She indicated the Board should dedicate the next work session to technology and the inside millage discussion.

O'Malley: He indicated a discussion on a potential permanent improvement levy is not appropriate at this time with the Bradley Road asset still sitting out there. In addition, he indicated the District's technology problems would not be solved with \$142,000 per year.

Wargo: She asked Mr. Beal why he does not support asking for the additional .1 mill.

Beal: He stated he would not support an unvoted tax increase.

Rocco: She indicated she does not support assessing the additional .1 mill.

Mays: He stated his only concern is that voters are notified ahead of time.

Wargo: She indicated she would like to pursue the additional millage issue, but at a more ideal time.

Beal: He requested the Treasurer prepare an updated financial forecast.

Board: The Board directed the Treasurer to request an extension from the County to file the tax budget.

EXHIBIT F-1  
RES. #07-22

RESOLUTION TO APPROVE STAFF RESIGNATION  
FOR THE PURPOSE OF RETIREMENT

RESOLVED THAT

the Westlake Board of Education approves the following staff resignation for the purpose of retirement:

<u>Name</u>	<u>Position</u>	<u>Effective</u>
Sherry Lekan	Personnel Coordinator	03/01/07

Motion by Mr. O'Malley

Seconded by Ms. Rocco

Roll Call Vote:

Mr. Beal AYE

Mrs. D'Ettorre Wargo AYE

Mr. Mays AYE

Mr. O'Malley AYE

Ms. Rocco AYE

EXHIBIT F-2  
RES. #07-23

RESOLUTION TO APPROVE FIELD TRIPS

RESOLVED THAT

the Westlake Board of Education approves the following field trips:

Westlake High School and Lee Burneson Middle School  
Westlake Ski and Snowboard Club  
Holiday Valley Ski Resort  
Ellicottville, New York  
Monday, January 22, 2007  
Approximate Cost Per Pupil - \$75.00

Motion by Ms. Rocco

Seconded by Mr. O'Malley

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>

EXHIBIT F-3  
RES. #07-24

RESOLUTION TO APPROVE FMLA FOR STAFF MEMBER

RESOLVED THAT  
the Westlake Board of Education extend FMLA leave as follows:

Toni Kopac	FMLA Effective 1-2-07 – 2-28-07
Transportation Director	

Motion by Mr. O'Malley

Seconded by Ms. Rocco

Roll Call Vote:

Mr. Beal	<u>AYE</u>
Mrs. D'Ettorre Wargo	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Ms. Rocco	<u>AYE</u>



EXHIBIT F-4  
RES. #07-25

RESOLUTION TO CONTINUE JAMES BREITENBACH AS INTERIM  
DIRECTOR OF TRANSPORTATION OF THE BOARD OF EDUCATION  
OF THE WESTLAKE CITY SCHOOL DISTRICT

WHEREAS, the Director of Transportation for the Westlake City School District Board of Education ("Board") has informed the Board of the necessity to extend FMLA leave for the period of January 1, 2007 through February 28, 2007; and

WHEREAS, the Board has determined that it is in the best interests of the Westlake City School District that it continue an interim Director of Transportation for the period set forth above plus any extensions as may be required of said Leave; and

WHEREAS, James Breitenbach ("Breitenbach") has served as Interim Director of Transportation since November 1, 2006 and has expressed interest in serving the Board for an additional limited time period; and

WHEREAS, Breitenbach has expressed an interest in accepting employment with the Board for a limited duration and upon the terms and conditions set forth below.

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

1. James Breitenbach be and is hereby appointed to continue to serve as Interim Director of Transportation of the Board for a term commencing on January 2, 2007 and expected to conclude February 28, 2007. In addition, consistent with the Westlake Schools Administrative Handbook, the Board shall pay on behalf of the employee any required SERS retirement contribution. Mr. Breitenbach is also eligible for holidays specified in O.R.C. 1.14. The parties expressly understand and agree that the Board retains the right to discontinue Mr. Breitenbach's employment at any time during this period upon seven (7) calendar days written notice without further obligation to Breitenbach.
2. Breitenbach and the Board also may extend the period of Mr. Breitenbach's employment past February 28, 2007 by written agreement, signed by the Treasurer and Superintendent on behalf of the Board of Education and Breitenbach under the same terms and conditions as the initial period described above without the need for further resolution if Ms. Kopac informs the Board of the need to extend her FMLA leave, requests a leave of absence for an additional period, or is otherwise unable to perform the duties of Transportation Director.

EXHIBIT F-4  
(Continued)

3. The Board President and Treasurer be and are hereby authorized and directed to enter into the employment agreement with Breitenbach and to take such other steps as are necessary to effectuate the purposes and intent of this resolution.

Motion by Ms. Rocco

Seconded by Mr. O'Malley

Roll Call Vote:

Mr. Beal AYE

Mrs. D'Ettorre Wargo AYE

Mr. Mays AYE

Mr. O'Malley AYE

Ms. Rocco AYE