

GARFIELD HEIGHTS BOARD OF EDUCATION  
GARFIELD HEIGHTS, OHIO

RECORD OF PROCEEDINGS  
Minutes – Special Board Meeting  
June 28, 2018

The Board of Education of the Garfield Heights City School District met in special session on Thursday, June 28, 2018 at the Garfield Heights Board of Education Offices, 5640 Briarcliff Drive, Garfield Heights, Ohio 44125 at 7:30 a.m. with Mr. Gary Wolske, President of the Board, presiding.

ROLL CALL

Present: Mr. Wolske, Mrs. Kitson, Mrs. Chamberlin, Mr. Dobies, Mr. Juby  
Absent:

**RECOMMEND ADOPTION OF AGENDA AS PRESENTED**

Moved by Mrs. Kitson, seconded by Mrs. Chamberlin to approve the agenda as adopted.

Ayes: Kitson, Chamberlin, Dobies, Juby, Wolske  
Nays: None

Moved by Mrs. Kitson, seconded by Mr. Dobies to approve Resolution No. 2018-17, a resolution approving the Settlement Agreement between the Garfield Heights Teachers' Association and the Board of Education, as presented in Exhibit A.

Mrs. Kitson stated her displeasure with this settlement agreement and that she got on the Board to deal with student issues but has felt that more and more lately, she has been dealing with only adult issues.

Mr. Dobies expressed his displeasure with this settlement agreement and was further dismayed that administration let this situation happen. He further stated that he will vote for the agreement to move this issue forward but will not tolerate it if this happens again.

Ayes: Chamberlin, Dobies, Wolske  
Nays: Kitson, Juby

Moved by Mrs. Kitson, seconded by Mr. Dobies to approve Resolution No. 2018-18, as resolution approving the last chance agreement with Melanie Warren, as presented in Exhibit B.

Ayes: Kitson, Dobies, Chamberlin, Juby, Wolske  
Nays: None

Moved by Mrs. Kitson, seconded by Mr. Dobies to accept the resignation of Noor Arif, First Grade Teacher at William Foster Elementary, effective June 23, 2018.

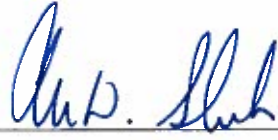
Ayes: Kitson, Dobies, Chamberlin, Juby, Wolske  
Nays: None

Moved by Mr. Dobies, seconded by Mrs. Chamberlin to adjourn at 7:41 a.m.

Ayes: Dobies, Chamberlin, Juby, Kitson, Wolske

Nays: None

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Treasurer

**RESOLUTION APPROVING SETTLEMENT AGREEMENT**

The Board of Education of the Garfield Heights City School District, Cuyahoga County, Ohio, met in regular session on the 28<sup>TH</sup> day of June, 2018, at the offices of said Board, with the following members present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Treasurer advised the Board that the notice requirements of R.C. §121.22 and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

\_\_\_\_\_ moved the adoption of the following Resolution:

**RESOLUTION**

WHEREAS, the School Board and Association are parties to a collective bargaining agreement effective July 1, 2017, through June 30, 2018, ("Labor Contract") wherein the Association is recognized by the School Board as the "sole and exclusive representative for the bargaining unit as set forth below for all matters with respect to wages, hours, terms and conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement." *See, Article I titled Recognition, section 1.12.* Further, the School Board and Association were parties to predecessor collective bargaining agreements during all times relevant, which bore the same recognition article identifying the Association as the sole and exclusive representative for the bargaining unit.

WHEREAS, under the Labor Contract, the bargaining unit is defined as: "all classroom teachers, librarians, guidance counselors, speech and hearing therapists, psychologists, department chairpersons, and any and all others holding certificates/licenses from the Ohio Department of Education. The superintendent, assistant superintendent(s), principals, and other administrative personnel as defined in Chapter 4117 Ohio Revised Code are excluded from the bargaining unit." *See, Article I titled Recognition, section 1.13.*

WHEREAS, under the Labor Contract, the Association remains the sole and exclusive representative of the bargaining unit on a continuous basis for the term of the agreement unless displaced through state law procedures as set forth in Article I titled Recognition, section 1.14.

WHEREAS, the School Board and Association agreed to resolve any and all disputes through the grievance procedure contained in Article IV of the Labor Contract.

WHEREAS, under the Labor Contract, a grievance is defined as "a claim initiated by a teacher of the Association that there has been a violation, a misinterpretation, or misapplication of the Negotiated Agreement, or the teacher's handbook (Superintendent's Manual), or in written Board policies previously and subsequently adopted by the Board pertaining to salaries, hours, or

employment conditions or disciplinary action taken under such policies or rules of the Board and shall be processed as a grievance." *See, Article IV titled Grievance Procedure, section 4.21.*

WHEREAS, under the Labor Contract, the Association may file a grievance on behalf of all affected teachers. *See, Article IV titled Grievance Procedure, section 4.34.*

WHEREAS, on or about February 13, 2018, the Association initiated a class grievance regarding prior teacher service experience credit at the informal level, which was later filed at Level II by the Association ("Teacher Service Experience Credit Grievance" or "pending grievance").

WHEREAS, on or about March 12, 2018, the School Board notified the Association that the School Board denied the Teacher Service Experience Credit Grievance. At that time, the School Board requested that the Association provide to the School Board specific documentation establishing the alleged service experience of all the specific affected teachers.

WHEREAS, on or about March 26, 2018, the Association moved the Teacher Service Experience Credit Grievance to Level III, at which time the Association and School Board agreed to hold the matter in abeyance to allow themselves the opportunity to meet and meaningfully explore whether a potential amicable resolution of the matter could be reached.

WHEREAS, on or about March 29, 2018, the Association provided the School Board verifying documentation for each affected teacher, which purported to establish the full teaching credit for each teacher.

WHEREAS, on or about May 1, 2018, the School Board and Association met to review the documentation provided by the Association on March 29, 2018, and to identify the specific service experience at issue for each affected teacher. The School Board and Association then identified a few teachers whose information needed to be completely verified with follow up documentation and agreed to meet at another date to continue negotiations over an amicable resolution.

WHEREAS, on or about May 23, 2018, the School Board and Association met to continue exploring an amicable resolution of the Teacher Service Experience Credit Grievance and verbally exchanged proposals to resolve the matter without further delay, time, or expense to the School Board, Association, and affected teachers.

WHEREAS, on June 14, 2018, the School Board and Association met and finalized a negotiated resolution of the Teacher Service Experience Credit Grievance, which is memorialized in the Settlement Agreement ("Agreement"), attached hereto as Exhibit 1.

WHEREAS, the Board desires to consider whether to approve the Agreement memorialized in Exhibit 1 hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Garfield Heights City Schools, County of Cuyahoga, State of Ohio, ("Board") that:

Section 1: The Board approves the Agreement by and between the Garfield Heights City School District Board of Education and the Garfield Heights Teachers Association, attached as Exhibit 1 hereto and incorporated herein as if restated.

Section 2: The Board authorizes its Board President, Superintendent, and Treasurer to enter into the Agreement, attached as Exhibit 1 hereto and incorporated herein as if restated.

Section 3: The Board authorizes the Treasurer to implement the terms of the Agreement.

Section 4: It is 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 any of its committees that resulted in such formal action were in meetings in compliance with all legal requirements, including R.C. §121.22.

\_\_\_\_\_ seconded the motion and upon roll call, the vote was as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate, and correct excerpt from the minutes of the regular meeting of the Board of Education of the Garfield Heights City School District held on the 28<sup>th</sup> day of June, 2018, showing the adoption of the Resolution hereinabove set forth.

\_\_\_\_\_  
Al Sluka, Treasurer  
Garfield Heights City Schools  
Cuyahoga County, Ohio

**RESOLUTION APPROVING LAST CHANCE AGREEMENT WITH  
MELANIE WARREN**

The Board of Education of the Garfield Heights City School District, Cuyahoga County, Ohio, met in regular session on the 28<sup>TH</sup> day of June, 2018, at the offices of said Board, with the following members present:

\_\_\_\_\_  
\_\_\_\_\_

The Treasurer advised the Board that the notice requirements of R.C. §121.22 and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

\_\_\_\_\_ moved the adoption of the following Resolution:

**RESOLUTION**

WHEREAS, the Superintendent recommends to the Board that it enter into a Last Chance Agreement ("Agreement") with teacher Melanie Warren to memorialize an agreed disciplinary resolution for an incident that occurred on or about March 29, 2018; and

WHEREAS, the Board desires to consider whether to approve the recommended Agreement memorialized in Exhibit A hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Garfield Heights City Schools, County of Cuyahoga, State of Ohio, ("Board") that:

Section 1: The Board approves the Last Chance Agreement by and between the Garfield Heights City School District Board of Education, teacher Melanie Warren, and the Garfield Heights Teachers Association, attached as Exhibit A hereto and incorporated herein as if restated.

Section 2: The Board ratifies the Superintendent's action of entering into the Agreement on or about June 25, 2018.

Section 3: It is 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 any of its committees that resulted in such formal action were in meetings in compliance with all legal requirements, including R.C. §121.22.

\_\_\_\_\_ seconded the motion and upon roll call, the vote was as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate, and correct excerpt from the minutes of the regular meeting of the Board of Education of the Garfield Heights City School District held on the 28<sup>th</sup> day of June, 2018, showing the adoption of the Resolution hereinabove set forth.

\_\_\_\_\_  
Al Sluka, Treasurer  
Garfield Heights City Schools  
Cuyahoga County, Ohio