

**MINUTES OF THE CLEVELAND HEIGHTS-UNIVERSITY HEIGHTS  
BOARD OF EDUCATION**

**Special Meeting of October 20, 2009**

The Board of Education of the Cleveland Heights-University Heights City School District, Cuyahoga County, held its Special Meeting in the public meeting room of the Board of Education building at 2155 Miramar Boulevard, University Heights, Ohio, on Tuesday, October 20, 2009.

Mr. Kal Zucker, Board President, called the meeting to order at 7:05 p.m.

**Present at Roll Call:** Mr. Kal Zucker, President  
Mr. Ron Register, Vice President  
Mr. Michael Cicero, Board Member  
Mr. Eric Coble, Board Member  
Ms. Nancy Pepler, Board Member

**Also Present:** Mr. Douglas Heuer, Superintendent  
Mr. Scott Gainer, Chief Financial Officer  
Mr. John Britton, District Legal Counsel  
Members of the Central Office Staff  
Patrons of the School District  
Representatives of the News Media

**SUPERINTENDENT'S REPORT**

**Ohio School Facilities Commission Early Local Partnership Program**

Superintendent Doug Heuer opened the floor to Board members to ask any additional questions regarding the presentation given at the last regular Board meeting by Mr. Jeff Tuckerman, a representative of the Ohio School Facilities Commission (OSFC). While no action is expected at this meeting, Mr. Heuer anticipates placing on the November agenda a recommendation to adopt a resolution entering into an early local partnership agreement with the OSFC.

By entering this agreement, Mr. Heuer indicated the first step would be to have a full evaluation of all District educational facilities regarding their physical state as well as their capacity to deliver educational programming. A new ten-year student enrollment forecast would be conducted at the expense of the OSFC. Once the Board receives the results of these reports, the Board would decide if it wished to pursue any work recommended.

## **WORK SESSION: TOPIC – Board Policy on 5000 Series (Students)**

Superintendent Doug Heuer asked Christine Fowler-Mack – Assistant Superintendent and Joe Micheller – Director of Educational Services, to provide a brief overview of the purpose of the 5000 Series and to update the Board on the work already done by Educational Services regarding this series.

Ms. Fowler-Mack stated that the work done by the Board regarding the 5000 series is the foundation for high quality teaching and learning, making it possible to prepare all students for success in a global economy. The 5000 policy section deals with topics such as eligibility of resident and non-resident students, entrance requirements, enrollment policies, school choice, attendance, health services, promotion, academic acceleration and retention, grading, and student conduct.

Mr. Micheller indicated that contained within the 5000 series are seventy-two separate policies. These policies can be placed within the following categories:

- How students/families enter and leave the school district
- Student life within the school day
- Student care within the school day
- Student behavior during the school day
- Student opportunities during the school day

School legal counsel, Attorney John Britton, discussed each of the following policies and the areas the Board should give consideration to in light of Ohio Civil Rights Commission, Ohio Revised Code regulations and administrative guidelines. Mr. Britton explained that NEOLA provides policy updates twice a year to boards of education for review and adoption.

**Policy 5113 – Inter-District Open Enrollment** – The District will maintain its current position on open enrollment.

**Policy 5136 – Wireless Communication Devices** – No recommendation has been made to the Board yet. Due to the broad interpretation of language in this section, Policy 5136 will undergo another level of review before coming back to the Board for authorization.

**Policy 5515 – Use of Motor Vehicles** – The language of this policy needs to continue to be reviewed to clarify whether the District will prohibit students' use of motor vehicles to and from school only or to and from extracurricular activities also. The Board also should consider if to and from school means school grounds, side streets near the school, or parking lots near the school, and whether this can be enforced.

**Policy 5517 – Anti-Harassment** – Attorney Britton stated that this policy is an extensive and very important policy. It is an amalgam of all prohibited discrimination acts of harassment that can occur in a school district environment. Recommendations to update this policy were provided to the Board.

**Policy 5630 – Corporal Punishment** – The language from H.B. 1 has been incorporated into this policy.

**Policy 5722 – School-Sponsored Publications and Productions** – There have been a number of changes to the existing version of this policy. Attorney John Britton stated there is a webinar available via NEOLA’s website that includes an active and helpful discussion on this policy.

Counsel John Britton also described the relationship between 5133 student handbook and Board of Education policy. Mr. Britton said there is a constant need for a school district to review its student code of conduct on a regular basis. Unique to Cleveland Heights-University Heights School District is that its student handbook is a part of its collective bargaining agreement.

Board Member Michael Cicero expressed an interest in having the conflicts between the 5000 policy series and the 5133 reviewed and modified prior to the Board moving forward with adoption of the 5000 series as planned for December’s regular Board meeting. Superintendent Heuer stated how quickly it can move forward would depend not only on the process itself, but also on the participants in the process. Mr. Heuer will have further discussion with legal counsel to arrive at a solid resolution to this matter. Board Member Ron Register suggested having a timeline available at the November Board meeting to accomplish the needed reconciliation.

Superintendent Doug Heuer indicated that this work session was to provide input on the policies discussed. The official second reading will occur at the November 2<sup>nd</sup> Board meeting, and the official third reading will occur with the adoption of policies in December.

## **FINANCE**

### **Approval of Five-Year Forecast for FY2010**

It was recommended that the Board of Education approve the Five-Year Forecast for fiscal year 2010, as presented (see official minutes).

Chief Financial Officer Scott Gainer reminded Board members that the five-year forecast comes before the Board for approval in May and October of each year. Although an article in Crain’s Cleveland Business discussed economic recovery in northeast Ohio, Mr. Gainer said that this forecast assumes no significant changes in terms of property tax collections or interest rates.

The Budget Commission is estimating a 92.6% collection rate, which is slightly lower than previously anticipated in revenue.

CFO Scott Gainer mentioned that due to the assumption that student enrollment will decline over the years in this forecast, ongoing reductions will need to occur in teaching positions.

An update on the forecast and its assumptions will be given to the Lay Finance Committee at a meeting tentatively scheduled for November. It is probable that the District may be able to delay a new operating levy until 2011 given further budget reductions and no significant economic issues.

**No. 09-10-136**

It was moved by Mr. Register, seconded by Mr. Cicero, that the Five-Year Forecast for FY2010 be approved.

Vote on the motion was as follows:

Ayes: Mr. Cicero, Mr. Register, Ms. Pepler,  
Mr. Zucker, Mr. Coble

Nays: None

**MOVE TO EXECUTIVE SESSION**

It was moved that the Board move into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(3) to meet with Board legal counsel to discuss disputes involving the Board and/or the School District that are the subject of pending or imminent court action.

**No. 09-10-137**

It was moved by Mr. Cicero, seconded by Ms. Pepler, that the Board move into Executive Session.

Vote on the motion was as follows:

Ayes: Mr. Cicero, Mr. Register, Mr. Coble,  
Ms. Pepler, Mr. Zucker

Nays: None

The Board moved into Executive Session at 10:02 p.m. with the following members present:

**Present:** Mr. Kal Zucker, President  
Mr. Ron Register, Vice President  
Mr. Michael Cicero, Board Member  
Mr. Eric Coble, Board Member  
Ms. Nancy Pepler, Board Member

**Also Present:** Mr. Douglas Heuer, Superintendent  
Mr. Scott Gainer, Chief Financial Officer  
Mr. John Britton, Board Legal Counsel

The Executive Session ended at 10:20 p.m.

**UPCOMING MEETINGS**

Monday, November 2, 2009 – Regular Board Meeting

Tuesday, November 17, 2009 – Special Board Meeting – TOPIC: Technology Initiatives

**MOTION TO ADJOURN**

It was recommended that the meeting be adjourned.

**No. 09-10-138**

It was moved by Mr. Cicero, seconded by Ms. Pepler, that the meeting be adjourned.

Vote on the motion was as follows:

Ayes: Mr. Register, Mr. Coble, Ms. Pepler,  
Mr. Zucker, Mr. Cicero

Nays: None

The meeting was adjourned at 10:23 p.m.

---

Kal Zucker, President

---

Scott Gainer, Chief Financial Officer