

MINUTES of the regular meeting of the Board of Education of Community Unit School District No. 9 held in the Board Conference Room at the Board of Education Administrative Offices, 1947 Adams Street, Granite City, Illinois, on January 26, 2010 at 7:00 p.m.

MEMBERS PRESENT: WALT WHITAKER, BEVERLEY SCROGGINS, JERRY McKECHAN, JEFF PARKER, JOHN PARKER, RON DILLARD, AND RALPH BURNETT.

EMPLOYEES PRESENT: HARRY BRIGGS, PH.D., JONATHAN "SKIP" BIRDSONG, PAUL BOWLER, DR. DENNIS BURNETT, BRAD EAVENSON, JIM GREENWALD, KAREN GREENWALD, DON HARRIS, GLORIA HARRISON, PAULA HUBBARD, DR. VIRGIL KAMBARIAN, DAVID KEEL, DR. DEBRA KIBORT, NANCY LEVAULT, TIM MORAN, KRISTEN NOVACICH, JIM PARKER, NIKKI PETRILLO, JASON SCHAEFER, JOHN SCHOOLEY, TOM SCHOOLEY, RON STERN, ZACK SUHRE, AND BARBARA BILBREY.

OTHERS PRESENT: SCOTT COUSINS, MATTHEW JONES, GEORGE PAWLACZYK, CHANNEL 2, CHANNEL 4, AND CHANNEL 5.

1. The meeting was called to order at 7:00 p.m. by Board President, Ralph Burnett. Roll was called. All members were present and a quorum was declared. President Burnett asked those present to stand for the reciting of the *Pledge of Allegiance* followed by the *Invocation*. He stated that citizens or parents with children in attendance, who did not wish to participate in the *Invocation*, could wait outside the Board Conference Room until after the Board moved to Item IV, *Public Comment*. In the absence of Rev. John Oswald of Grace Baptist Church, Don Harris offered the *Invocation*.
2. **PUBLIC COMMENT** – There were no public comments.
3. **MINUTES** (157 & a-e) Motion by Member McKechan, seconded by Member Jeff Parker, to approve the minutes of the regular meeting of the Board of Education held on January 12, 2010 as presented on 157 & a-e. Members voting—Whitaker, "aye"; Scroggins, "aye"; McKechan, "aye"; Jeff Parker, "aye"; John Parker, "aye"; Dillard, "aye"; and Burnett, "aye"; motion carried.
4. **CONSENT AGENDA** (158-160) Motion by Member Jeff Parker, seconded by Member Whitaker, upon the recommendation of the administration, to approve the items listed on the *Consent Agenda* as follows:
 - TREASURER'S REPORT/DECEMBER 2009** (158) To accept the Treasurer's Report for December 2009 as presented on 158 and file for audit.
 - BILL LIST** (159 & a-af) To approve the bill list on 159 & a-af and authorize the payment of all items.
 - REQUESTS FROM VARIOUS ORGANIZATIONS** (160) To approve Requests "a" through "c" as outlined on 160.

GIFTS (160) To accept the gifts outlined on 160 with thanks and appreciation.

GRANITE CITY ROTARY CLUB'S 19TH ANNUAL MAYORS' PRAYER BREAKFAST (160) To authorize the purchase of tickets for a table of eight for the Granite City Rotary Club's 19th Annual Mayors' Prayer Breakfast on March 16, 2010 as outlined on 160 at a total cost of \$144.00.

Members voting—Scroggins, "aye"; McKechan, "aye"; Jeff Parker, "aye"; John Parker, "aye"; Dillard, "aye"; Whitaker, "aye"; and Burnett, "aye"; motion carried.

5. **REQUEST TO RESCIND RETIREMENT (161)** This request was withdrawn from the Agenda.

6. **RETIREMENT (161)** This request was withdrawn from the Agenda.

7. **LEAVES OF ABSENCE (161)** Motion by Member Jeff Parker, seconded by Member John Parker, upon the recommendation of the administration, to approve the following leaves of absence:

<u>Name</u>	<u>Position</u>	<u>Reason</u>	<u>Effective</u>
Ronald Briggs	Custodian/Board Office	Medical	1/5/10 – 3/31/10
Vicki Knott	Cafeteria/Coolidge	Medical	1/14/10 – 2/15/10

Members voting—McKechan, "aye"; Jeff Parker, "aye"; John Parker, "aye"; Dillard, "aye"; Whitaker, "aye"; Scroggins, "aye"; and Burnett, "aye"; motion carried.

8. **EXTRA-CURRICULAR RESIGNATIONS (161a)** Motion by Member Jeff Parker, seconded by Member Scroggins, upon the recommendation of the administration, to accept the following extra-curricular resignations effective immediately:

<u>Name</u>	<u>Position</u>
Keith McGlasson	Assistant Football Coach/High School
Jonathan "Skip" Birdsong	Head Boys' Soccer Coach/High School

Members voting—Jeff Parker, "aye"; John Parker, "aye"; Dillard, "aye"; Whitaker, "aye"; Scroggins, "aye"; McKechan, "aye"; and Burnett, "aye"; motion carried.

9. **EXTRA-CURRICULAR APPOINTMENTS (161a)** Motion by Member Jeff Parker, seconded by Member Whitaker, upon the recommendation of the administration, to approve the following extra-curricular appointments for the 2009-2010 school year:

<u>Name</u>	<u>Position</u>
Barry Grote	Assistant Girls' Soccer Coach/High School
Kenny Prazma	Assistant Girls' Soccer Coach/High School

Members voting—Whitaker, "aye"; Scroggins, "aye"; McKechan, "aye"; Jeff Parker, "aye"; John Parker, "aye"; Dillard, "aye"; and Burnett, "aye"; motion carried.

10. **CERTIFIED AND CLASSIFIED SUBSTITUTES (161b)** Motion by Member Jeff Parker, seconded by Member John Parker, upon the recommendation of the administration, to approve the following individuals as certified and classified substitutes for the 2009-2010 school year:

CERTIFIED

Lawrence Curry	Rebekah Diser	Katherine MacLaughlin	John McGinley
Bobbie Madura	Michael Scott	Sharon Wheeler	

CLASSIFIED

Dianne Hollis

Heidi Gray

Jennefer Akers

Mariamn Perritt

Jamie Wright

Members voting—Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; Dillard, “aye”; Whitaker, “aye”; and Burnett, “aye”; motion carried.

11. **EMPLOYMENT OF CLASSIFIED STAFF/PART-TIME BILINGUAL TEACHER AIDE** (161c) Motion by Member Jeff Parker, seconded by Member McKechan, upon the recommendation of the administration, to employ Eric Smith as a part-time bilingual teacher aide. Members voting—McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; Dillard, “aye”; Whitaker, “aye”; Scroggins, “aye”; and Burnett, “aye”; motion carried.
12. **NOTICE TO REMEDY** – This item was held for discussion in executive session.
13. **NON-RENEWAL OF ADMINISTRATIVE CONTRACT** – This item was withdrawn from the Agenda.
14. **SALE OF SURPLUS VEHICLES** (162) Motion by Member Jeff Parker, seconded by Member Dillard, to approve the sale of six surplus vehicles as surplus property and authorize the disposal of them via an open sale at the minimum asking price as outlined on 162. Members voting—Dillard, “aye”; Whitaker, “aye”; Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; and Burnett, “aye”; motion carried.
15. **SLU 1818 ADVANCED COLLEGE CREDIT INCENTIVE AWARD** (162) Motion by Member Jeff Parker, seconded by Member Scroggins, to accept the SLU 1818 Advanced College Credit Program Incentive Award in the amount of \$750 and authorize the administration to proceed with the planning of the use of these funds for the enhancement of the program as outlined on 162. Members voting—Whitaker, “aye”; Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; Dillard, “aye”; and Burnett, “aye”; motion carried.
16. **AUDITOR ENGAGEMENT FOR 2009-2010 AUDIT** (163) Motion by Member Jeff Parker, seconded by Member John Parker, to approve the engagement of the firm of Schowalter & Jabouri to perform the district’s annual audit for the 2009-2010 school year as outlined on 163. Members voting—Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; Dillard, “aye”; Whitaker, “aye”; and Burnett, “aye”; motion carried.
17. **REGIONS BANK/CHANGE OF SIGNATURE DESIGNEES** (163) Motion by Member Jeff Parker, seconded by Member John Parker, to approve the change of signature designees on the Regions Bank activity fund accounts for Granite City High School and the Board of Education as outlined on 163. Members voting—McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; Dillard, “aye”; Whitaker, “aye”; Scroggins, “aye”; and Burnett, “aye”; motion carried.

18. **MARY K. ROWDEN EDUCATIONAL FUND/NEW SIGNATURE DESIGNEES** (163) Motion by Member Scroggins, seconded by Member McKechan, to approve new signature designees on the Mary K. Rowden Educational Fund account, which is a part of the Board of Education Activity Fund, as outlined on 163. Members voting—Jeff Parker, “aye”; John Parker, “aye”; Dillard, “aye”; Whitaker, “aye”; Scroggins, “aye”; McKechan, “aye”; and Burnett, “aye”; motion carried.

19. **POLICIES** (164 & a-av) Motion by Member John Parker, seconded by Member Dillard, upon the recommendation of the Policy Committee, to adopt the following amended policies as presented on 164 & a-av:

2:200 TYPES OF SCHOOL BOARD MEETINGS
2:250 ACCESS TO DISTRICT PUBLIC RECORDS
2:250AP1 ADM. PROCEDURE – ACCESS TO AND COPYING OF DISTRICT PUBLIC RECORDS
2:250E1 EXHIBIT – WRITTEN REQUESTS FOR DISTRICT RECORDS
2:250E2 DELETED
2:250E3 DELETED
2:250E2 EXHIBIT – IMMEDIATELY AVAILABLE DISTRICT PUBLIC RECORDS
4:110 TRANSPORTATION
4:110AP2 ADM. PROCEDURE – PRE-TRIP AND POST-TRIP INSPECTION; BUS DRIVING COMMENTS
5:10 EQUAL EMPLOYMENT OPPORTUNITY AND MINORITY RECRUITMENT
6:60 CURRICULUM CONTENT
6:60AP ADM. PROCEDURE – COMPREHENSIVE HEALTH EDUCATION PROGRAM
7:10 EQUAL EDUCATIONAL OPPORTUNITIES
7:20 HARASSMENT OF STUDENTS PROHIBITED
7:180 PREVENTING BULLYING, INTIMIDATION, AND HARASSMENT

Members voting—John Parker, “aye”; Dillard, “aye”; Whitaker, “aye”; Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; and Burnett, “aye”; motion carried.

20. **REPORTS AND OTHER COMMUNICATIONS**

Committee Reports – There were no committee reports.

Freedom of Information Act Report (165) It was reported that there were no requests for information under the Freedom of Information Act during the period January 8 to January 21, 2010.

Expulsions (165) This item was held for discussion in executive session.

Activity Fund Statements/November 2009 (166 & a-g)

21. **EXECUTIVE SESSION** - Motion by Member Jeff Parker, seconded by Member McKechan, to go into executive session for the exceptions noted under 5 ILCS 120/2 Open Meetings:

- The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body; and
- Student disciplinary cases.

Members voting—Dillard, “aye”; Whitaker, “aye”; Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; and Burnett, “aye”; motion carried.

The Board was called into executive session at 7:08 p.m.

Executive session closed and the meeting resumed at 7:52 p.m.

Motion by Member Scroggins, seconded by Member Jeff Parker, to close executive session and resume the public meeting. Members voting—all aye; voice vote; motion carried.

22. **EXPULSIONS** (165) Motion by Member Jeff Parker, seconded by Member Scroggins, to expel three Senior High School students for infractions of the Student “Code of Conduct” for one calendar year from the date of the Board of Education Meeting (January 26, 2010). Members voting—Dillard, “aye”; Whitaker, “aye”; Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; and Burnett, “aye”; motion carried.

23. **NOTICE TO REMEDY**

Superintendent Briggs: “In order to keep this process open and transparent, the Board offered Mr. Harshany the opportunity to speak in open session. He declined.

This evening, the Granite City School Board has decided to seek administrative dismissal of Brian Harshany for the remainder of the school year. After a lengthy professional investigation, done by an independent agency, it was determined that while nothing criminal occurred, there were certain district policies and procedures violated. Students were not at risk or harm but the integrity of the district was violated. As with any investigation, as it sought to answer the allegations at hand, other allegations arose.

The Board of Education will conduct a hearing at a special meeting scheduled for February 2nd at the Board of Education Office at 5:00 p.m. This meeting will provide Mr. Harshany with due process as entitled by the Illinois School Code. If it is determined Mr. Harshany has violated these policies and procedures in his capacity as Assistant Principal, he will immediately be re-assigned as a teacher in the district with appropriate pay. This issue is guided by the Illinois School Code Section 24-12. It is incumbent upon the school district and Board of Education to comply with the law. To do otherwise would violate Mr. Harshany’s rights as a tenured teacher.

I want to commend the Board for their diligent attention to this serious issue. It is unfortunate that our school district must deal with issues such as this. It takes away from our mission of educating children. Our challenge to provide quality education remains our number one priority. Making this district a place where children can learn, grow, prosper, and feel safe remains our utmost responsibility. I speak for the Board when I say the sooner this issue is resolved the better it will be for the district and community.

At this time, Mr. Ron Stern, Director of Secondary Education, will read the Notice to Remedy.”

Ron Stern, Director of Secondary Education:

RESOLUTION AUTHORIZING ISSUANCE OF
A NOTICE OF REMEDIAL WARNING AND A NOTICE OF HEARING
REGARDING TERMINATION OF AN ADMINISTRATIVE CONTRACT

WHEREAS, the Board of Education of Granite City Community Unit School District No. 9, Madison County, Illinois, is empowered to manage the operation of the schools of the District, including management of its employees; and

WHEREAS, the Board of Education has the power to discipline and dismiss teachers pursuant to Sections 10-20.5, 10-22.4 and 24-12 of the *School Code* (105 ILCS 5/10-20.5, 5/10-22.4 and 5/24-12); and

WHEREAS, the Board of Education has received and reviewed information and recommendations from its administration regarding the unprofessional conduct and performance of Brian Harshany, an administrator and teacher on contractual continued service; and

WHEREAS, the Board of Education has concluded that such information and reports of unprofessional conduct and performance indicate sufficient reason and cause for Harshany's dismissal from the teaching staff of this District if the deficiencies are not corrected and remediated and the immediate termination of his contract as an administrator in this District;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Granite City Community Unit School District No. 9, Madison County, Illinois, as follows:

SECTION 1: That Brian Harshany shall be issued a Remedial Warning and Notice of Hearing Regarding Termination of his Administrative Contract for the reasons stated in the Notice attached hereto and incorporated in this Resolution as Exhibit 1.

SECTION 2: That the President and Secretary of the Board of Education are hereby authorized and directed to send this Notice to Brian Harshany by certified mail, return receipt requested.

SECTION 3: That the Superintendent or his designee shall personally deliver a copy of said Notice to Brian Harshany.

SECTION 4: That this Resolution shall be in full force and effect immediately upon its passage.

ADOPTED this 26th day of January, 2010, by the following vote:

AYES:

NAYS:

ABSENT:

/s/President, Board of Education

/s/Secretary, Board of Education

EXHIBIT 1

By Certified Mail, Return Receipt Requested, and Personal Delivery

A NOTICE OF REMEDIAL WARNING AND A NOTICE OF HEARING
REGARDING TERMINATION OF AN ADMINISTRATIVE CONTRACT

TO: Brian Harshany

You are hereby advised that the Board of Education has determined at its meeting of January 26, 2010, that your conduct and performance as an administrator and/or as a tenured teacher in School District No. 9 are deficient and unprofessional as set forth below. The District's attorneys previously informed you of these deficiencies and discussed the District's concerns with you in conferences. The Board of Education concluded that these deficiencies are sufficient reason and cause for your dismissal as a teacher in this District if you do not correct and remediate them immediately and sufficient reason and cause to terminate your contract as an administrator in this District and, consequently, took official action resolving to issue you this formal Notice of Remedial Warning and Notice of Hearing Regarding Termination of an Administrative Contract.

The following are the deficiencies which, if not remediated, may result in charges being placed against you for your dismissal from employment and which constitute good and sufficient reason to terminate your contract as an administrator in this District. You are hereby directed to correct and remedy each and every one:

1. You have engaged in unprofessional conduct by using your District assigned cell phone for sending and/or receiving inappropriate and provocative pictures of yourself in various states of undress and inappropriate pictures of a former student depicting her wearing lingerie and laying atop of an unclothed "female blow-up doll" and then using your District assigned email address and computer to forward these pictures to the former student.
2. You have violated Board Policy 5:120 which requires you "to maintain professional and appropriate relationships with students, parents, staff members and others" by engaging in conduct described in paragraph 1 above.
3. You have engaged in unprofessional conduct, by using your District assigned email address and computer to place orders on the website www.adultshop.com which features sexually oriented material. Some of these orders were made during the school day.
4. You have violated Board Policy 6:235 which requires that "all use of the District's electronic networks be: (1) in support of education and/or research and be in furtherance of the goals stated herein or (2) for a legitimate school business purpose" by engaging in conduct described in paragraphs 1 and 3.

5. You have engaged in unprofessional conduct by inappropriately involving yourself in a matter that was outside of your purview and asking another District administrator to change a student's grade without the classroom teacher's knowledge or consent. Your unilateral actions in changing this student's grade called into question your integrity and credibility.
6. You have violated Board Policy 5:120 and its administrative procedure which requires you to demonstrate integrity and honesty and you have violated Board Policy 6:280 concerning procedure for changing a grade by engaging in conduct described in paragraph 5.

Because of your failure to conduct yourself professionally and perform your required duties as stated above, the interests of the District, its pupils, and the faculty have been harmed. All such conduct must cease immediately and must be corrected or dismissal charges may be brought against you. The administration of this District will assist you in correcting and removing these deficiencies and shall continue to supervise your conduct.

Also, please be informed that at its Board meeting on February 2, 2010, at 5:00 p.m. at the District's Central Office at 1947 Adams, Granite City, Illinois, 62040, the Board of Education will consider whether to terminate your contract as an administrator in the District, effective immediately, for the reasons stated in this Notice. You are hereby notified that the Board will conduct a hearing on the proposed termination prior to taking action. You have a right to attend this hearing with a representative of your choosing and present evidence on your behalf.

/s/President, Board of Education
/s/Secretary, Board of Education

Motion by Member Jeff Parker, seconded by Member Dillard, to adopt the Resolution Authorizing Issuance of a Notice of Remedial Warning and a Notice of Hearing Regarding Termination of an Administrative Contract, including Exhibit 1 as presented and authorize the necessary signatures. Members voting—Whitaker, "aye"; Scroggins, "aye"; McKechan, "aye"; Jeff Parker, "aye"; John Parker, "aye"; Dillard, "aye"; and Burnett, "aye"; motion carried.

24. **EXECUTIVE SESSION MINUTE/JANUARY 12, 2010** (167) Motion by Member Jeff Parker, seconded by Member John Parker, to approve the executive session minutes of the regular meeting of the Board of Education held on January 12, 2010 as presented. Members voting—Whitaker, "aye"; Scroggins, "aye"; McKechan, "aye"; Jeff Parker, "aye"; John Parker, "aye"; Dillard, "aye"; and Burnett, "aye"; motion carried.

25. **SPECIAL MEETING** – Motion by Member Scroggins, seconded by Member Jeff Parker, to call a special meeting of the Board of Education on Tuesday, February 2, 2010 at 5:00 p.m. at the Granite City Board of Education Administrative Office, 1947 Adams, Granite City, Illinois, to discuss personnel and conduct a hearing regarding termination of an administrative contract. Members voting—Scroggins, “aye”; McKechan, “aye”; Jeff Parker, “aye”; John Parker, “aye”; Dillard, “aye”; Whitaker, “aye”; and Burnett, “aye”; motion carried.
26. **SETTING THE AGENDA FOR THE FEBRUARY 9, 2010 MEETING** – There were no items.
27. **ADJOURNMENT** – Motion by Member Jeff Parker, seconded by Member Scroggins, to adjourn the meeting at 8:05 p.m. Members voting—all aye; voice vote; motion carried.

President

Secretary