

The GALION CITY SCHOOL DISTRICT BOARD OF EDUCATION, Crawford

County, Ohio, met in Special session on the 5th day of July, 2022, with the following members present:

Mr. Long

Mr. Mateer

Mrs. Miller

Mrs. Johnson

Mr. Garverick

Mr. Mateer moved the adoption of the following resolution:

RESOLUTION

WHEREAS, the Galion City School District Board of Education ("Board") employs Paul Wheeler ("Wheeler") as a licensed administrative employee under a limited contract pursuant to Ohio Revised Code Section 3319.02; and

WHEREAS, Ohio Revised Code Section 3319.02 provides in pertinent part that: "[n]o contract may be terminated by a board except pursuant to section 3319.16 of the Revised Code"; and

WHEREAS, Ohio Revised Code Section 3319.16 provides in pertinent part as follows: "[t]he contract of any teacher employed by the board of education of any city, exempted village, local, county, or joint vocational school district may not be terminated except for good and just cause,"; and

WHEREAS, Ohio Revised Code Section 3319.16 further provides that: “[t]he board may suspend a teacher pending final action to terminate the teacher's contract if, in its judgment, the character of the charges warrants such action,”; and

WHEREAS, the Superintendent has presented the Board with a recommendation to initiate contract termination proceedings with regards to Wheeler’s limited administrative contract with the District in accordance with Ohio Revised Code Section 3319.16 for good and just cause on the grounds as stated in the Superintendent’s notice of intent issued to Wheeler dated June 29, 2022, which are as follows:

- 1) On March 19, 29, 31, April 1, 6, and 7, 2022, Wheeler sent text messages that were saved to Wheeler’s school-issued device, that confirm that Wheeler falsified the use of sick leave on work days March 31, 2022 and April 1, 2022. These text messages also confirm that Wheeler falsified statements and evidence submitted to the Superintendent in the course of the investigation of these matters that occurred in April, 2022;
- 2) During the pre-disciplinary due process hearing held on April 18, 2022, as part of the investigation of these matters, and in the presence of Wheeler’s legal counsel, Wheeler produced a statement from the doctor’s appointment Wheeler reportedly had on April 4, 2022, when Wheeler returned from Virginia Beach. The statement from the doctor’s appointment was dated April 18, 2022, and

indicated that Wheeler had an “acute illness” on March 31, 2022 and April 1, 2022, but that Wheeler was cleared to return to work;

- 3) Falsification of sick leave is grounds for termination of employment under Ohio Revised Code Section 3319.141;
- 4) Falsification of statements and evidence submitted in the course of an investigation constitutes dishonesty, which violates the provisions of Board Policy 1200, Administrator Ethics; and

WHEREAS, also in accordance with Ohio Revised Code Section 3319.16, the Superintendent has presented the Board with a recommendation that Wheeler be suspended without pay pending contract termination proceedings, with such action effective immediately; and

WHEREAS, on June 29, 2022, the Superintendent caused written notice to be issued to Wheeler indicating her intent to recommend the aforementioned action to the Board, with a full specification of grounds for such recommendation, and with accompanying explanation to Wheeler of Wheeler’s rights to a due process hearing before the Board prior to the Board taking any official public action regarding the Superintendent’s recommendation to initiate contract termination proceedings, and to suspend Wheeler without pay pending same, effective immediately; and

WHEREAS, the Superintendent’s notice of June 29, 2022, included notice to Wheeler of Wheeler’s right to a due process hearing before the Board in regards to the aforementioned recommendations of the Superintendent; and

WHEREAS, the Board offered Wheeler an opportunity for a due process hearing before the Board at the Board's special public meeting held on July 5, 2022; and

WHEREAS, the Board, upon review and full consideration of these matters and the recommendations made by the Superintendent regarding same, determines as follows;

NOW THEREFORE BE IT RESOLVED, that the Galion City School District Board of Education ("Board") hereby acts to approve the Superintendent's recommendation to initiate contract termination proceedings pursuant to Ohio Revised Code Sections 3319.02 and 3319.16 in regards to the limited administrative contract of employee Paul Wheeler, based upon the grounds as stated above and in the notice issued to Wheeler dated June 29, 2022, which the Board finds to be good and just cause for termination;

BE IT FURTHER RESOLVED that the Galion City School District Board of Education hereby acts to approve the Superintendent's recommendation to suspend Wheeler without pay effective immediately and through the duration of the contract termination proceedings pursuant to Ohio Revised Code Sections 3319.02 and 3319.16, based upon the Board's determination that the character of the charges set forth above herein as grounds for termination warrant such action;

BE IT FURTHER RESOLVED that the Galion City School District Board of Education hereby directs its Treasurer to issue written notice of same forthwith to Paul Wheeler by certified U.S. mail, return receipt requested, which notice shall include the Board's intention to consider the termination of Wheeler's limited administrative contract with full specification of the grounds for such consideration and with explanation of

statutory provisions, as applicable, to such proceedings under Ohio Revised Code Section 3319.16;

BE IT FURTHER RESOLVED that the Galion City School District Board of Education hereby authorizes its Superintendent and Treasurer to take all actions necessary in order to faithfully execute this official public action of the Board.

Mr. Long seconded the motion.

Upon roll call vote resulted as follows:

<u>Mr. Long</u>	<u>Aye</u>
<u>Mr. Mateer</u>	<u>Aye</u>
<u>Mrs. Miller</u>	<u>Aye</u>
<u>Mrs. Johnson</u>	<u>Aye</u>
<u>Mr. Garverick</u>	<u>Aye</u>

ADOPTED: July 5th, 2022.

ATTEST:

Charlene Parkinson
Treasurer

[Signature]
President