

The GALION CITY SCHOOL DISTRICT BOARD OF EDUCATION, Crawford County, Ohio, met in Regular session on the 9th day of August, 2022, with the following members present:

Mr. Mateer
Mrs. Johnson
Mr. Garverick
Mrs. Miller

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, 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, 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, at the Board's special public meeting held on July 5, 2022, the Board held the due process hearing for Wheeler but Wheeler did not attend said hearing; and

WHEREAS, following the due process hearing at the Board's special public meeting, the Board took official public action at the Board's special public meeting held on July 5, 2022, to pass a resolution approving 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

WHEREAS, on July 6, 2022, the Treasurer caused written notice of the Board's action on July 5, 2022, approving the resolution 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, to be issued to Wheeler, including a copy of said resolution, by certified U.S. mail return receipt requested; and

WHEREAS, the notice issued to Wheeler by the Treasurer on July 6, 2022, indicated the full specification of grounds for termination pursuant to Ohio Revised Code Section 3319.16; and

WHEREAS, the notice issued to Wheeler by the Treasurer on July 6, 2022, also indicated that Wheeler had ten (10) days after receipt of the notice to file a written demand with the Treasurer for a hearing before the Board or a referee appointed pursuant to Ohio Revised Code Section 3319.161 on the grounds for termination pursuant to Ohio Revised Code Section 3319.16; and

WHEREAS, on July 18, 2022, Wheeler filed a written demand via electronic mail to the Treasurer for a hearing before the Board on the grounds for termination pursuant to Ohio Revised Code Section 3319.16; and

WHEREAS, following receipt of said written demand, on July 18, 2022, the Treasurer issued written notice of termination hearing to Wheeler via certified U.S. mail return receipt requested, which included notice of the date, time, location and particulars

of the termination hearing scheduled before the Board at the Board's regular public meeting on August 9, 2022; and

WHEREAS, said termination hearing notice issued by the Treasurer to Wheeler on July 18, 2022, also included the opportunity for Wheeler to request the Board to hold such hearing in public, and notice to Wheeler that any such request must be made by Wheeler in writing to the Treasurer by no later than 4:00p.m. on August 5, 2022; and

WHEREAS, Wheeler did not file a written demand with the Treasurer for a public meeting before the Board; and

WHEREAS, the Board held the termination hearing for Wheeler in executive session of the Board at the Board's regular public meeting on August 9, 2022, and the Board caused a full stenographic record to be made of said hearing; and

WHEREAS, the Board, upon review and full consideration of these matters and the information presented to the Board during the termination hearing on August 9, 2022, determines as follows;

NOW THEREFORE BE IT RESOLVED, that the Galion City School District Board of Education ("Board") hereby acts to order the termination of the limited administrative contract of Paul Wheeler issued under Ohio Revised Code Section 3319.02, on the grounds as set forth above, pursuant to Ohio Revised Code Sections 3319.02 and 3319.16, which the Board finds all such grounds to be good and just cause for termination;

BE IT FURTHER RESOLVED that by issuing this order of termination of the limited administrative contract of Paul Wheeler pursuant to Ohio Revised Code Sections 3319.02 and 3319.16, the Board hereby rescinds its previous vote to approve the

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, pursuant to Ohio Revised Code Section 3319.16;

Mrs. Miller seconded the motion.

Mr Mateer	aye
Mrs Miller	aye
Mrs Johnson	aye
Mr Garverick	aye

6

ATTEST:

Charles Fickenson
Treasurer

[Signature]
President

