

**RECORD OF PROCEEDINGS**

MINUTES OF THE GRANDVIEW HEIGHTS CITY BOARD OF EDUCATION

Special Meeting May 5, 2008

The Grandview Heights City School Board met in special session pursuant to the rules section 3313.16 of the Ohio Revised Code at the Grandview Heights High School library with President Suzanne McLeod in the Chair. Due notice of this meeting was issued to members of the Board and to the media.

Call to Order (I): President McLeod called the meeting to order at 7:30 p.m.

Roll Call (II): The following persons were present:

Members Present: Suzanne McLeod, President  
Gary Heydinger, Member  
Anita Keller, Member  
Kathy Lithgow, Member  
Joanne Peters, Member (5)

Others Present: Ed O'Reilly, Superintendent of Schools  
Connie Anderson, Parent  
Bob Baeslack, Edison/Middle School Principal  
Debbie Brannan, Parent  
Ron Cameron, Parent  
Joe Connors, High School Guidance Counselor  
Jean Crawford, Visitor  
Lori Cropper, Parent  
Sherry Daniel, Parent  
Carol Davis, Parent  
Grant Douglass, Parent  
Gary Essig, Parent  
Malene Faris, Parent  
Robert Faris, Student  
Sharon Kientz, Parent  
Kathy Kinnard, Athletic Director  
Angela LaMonte, Parent  
Mark LaMonte, Parent  
Jill McNaughton, High School Guidance Counselor  
Chris Minillo, Parent  
Jane Moran, Parent  
Kathleen Moran, Student  
Ken Odiorne, Parent  
Nancy Radcliff, Parent  
Leah Reynolds, Parent  
Kris Ross, Parent  
Julie Sheets, Parent  
Melissa Snider, Parent  
Linda Teach, Parent  
John Wagner, Parent  
Pete Wenk, Parent  
Alan Froman, Grandview ThisWeek  
Greg Jones, Tri-Village News

Activity Code of Conduct: President McLeod described how the Board desires to gather information regarding proposed changes to the District's Activity Code of Conduct from the public this evening. She included the Board's meeting policy regarding the three-minute speaking time limitation per person. Mr. O'Reilly provided background information including recommendations from the Board's attorney to look at policy after Activity Code of Conduct violations. He also noted information from the PPAAUS Survey regarding perceptions, attitudes and patterns regarding drug and alcohol use. There has been an increase in the number of Activity Code of Conduct violations as follows: 2004-05, 7; 2005-06, 5; 2006-07, 9; 2007-08, 14 to date. He also noted the web site [www.dontserveteens.gov](http://www.dontserveteens.gov). Mr. O'Reilly said that other school districts have similar policies. He said that our proposed Activity Code of Conduct is intended to do the following: 1) Provide another tool that will equip students with reasons to say no; 2) Provide parents with additional opportunities to discuss issues with their children; 3) Provide a District-wide effort to promote student safety on and off campus; 4) Make a difference with our students when working with parents; and 5) Capture students before drinking who report a willingness but do not regularly partake. He reviewed the outline of major changes to the Activity Code of Conduct as it is contained as an addendum item to these minutes.

Bob Baeslack provided an historical perspective regarding pertinent policy development by the School District over the past nine years. He emphasized school/family cooperation to keep students safe while maintaining some flexibility to assist and work with families. The District's CORE Team considers this kind of policy. Joe Connors described spending hundreds of hours working on these kinds of matters during the past twenty-eight years as part of the District's CORE Team. Their emphasis has been to help students instead of punishing them and to provide opportunities for common sense to prevail. While these kinds of School District policies will probably not stop all students from using alcohol and illegal drugs, they do provide opportunities for students to safely get out. Jill McNaughton described the many hours of work necessary to bring these proposed policies up to this point. The proposed Activity Code of Conduct includes ways to help educate families. The Code is a work in progress. Other school districts incorporate some of these ideas into their policies. Our proposed Activity Code of Conduct is intended to assist students who do not always understand future consequences of their choices today. Kathy Kinnard described the proposed changes to the Activity Code of Conduct as the refinement of a tool to help students make good choices and hold them accountable for their decisions.

President McLeod invited members of the audience to address the Board regarding proposed changes to the District's Activity Code of Conduct. Mark LaMonte said that the proposed Code does not require use of illegal drugs and alcohol to be in violation. He questioned how the rules would be applied. Mr. O'Reilly said that the burden of proof of a violation of the policy lies with the School District. Consequences may not be levied unless a standard of proof is made. He noted that the School District is criticized if hearsay is included in its decision making process. At the same time, the School District is criticized that it does not do enough to deter the use of illegal drugs and alcohol or to apply consequences. Mr. O'Reilly also said that voluntary referral is included at the beginning of the Activity Code of Conduct. If students have not yet been cited or charged, they may self-refer. Hypothetical circumstances were briefly discussed.

Grant Douglass said he is glad there is an Activity Code of Conduct. It needs to be changed so children do not have to make adult decisions. For example, if a student discovers that alcohol is being consumed by students in another room and that student calls home only to discover that his parents are not home, should that student walk home in the dark when it is not safe? Alternatively a student might decide he might as well stay there and start drinking. Mr. Douglass said he is concerned about wrongful citations. He suggested going before a panel to talk about citations before going to court.

Gary Essig commented on #3 of the major changes that would require students to leave an event where underage alcohol use or illegal use of drugs is taking place. (See addendum item to these minutes.) He said that bonds are created between students in the classroom. It is possible for one student to notice a friend drinking alcohol and decide not to leave. Instead the student decides to stay in order to take his friend home. Mr. Essig questioned who would take all of the students home who are using illegal drugs or alcohol. He said that #3 of the major changes eliminate the Good Samaritan factor.

Ken Odiorne suggested altering #7 on page 2 of the Activity Code of Conduct (see addendum item to these minutes) to insert the word "knowingly" so that it reads, "Students will not knowingly remain in attendance..." He said that students should be given consideration when they take on leadership roles and not be penalized for doing the right thing. He suggested that training regarding this policy be provided to students possibly at assemblies such as "after prom." Training could also be provided regarding anti-harassment and bullying for students and teachers as well.

Chris Minillo thanked District staff members for their time and effort to prepare the proposed Activity Code of Conduct. He asked questions including when the panel would review matters regarding more than a minor offense if the student denies their participation and the matter is pending in juvenile court. Mr. O'Reilly said the panel would review the matter after the student comes in. It is a composite effort to work with students in these situations. The panel provides an opportunity for students to be proactive. Although final outcomes of the proceedings may happen later instead of sooner because of the court's involvement, the proactive nature of the proposed Activity Code of Conduct shortens the time gap between an alleged violation and its consequence. Mr. O'Reilly described various possible activities of the panel who has the ultimate burden of proof that could come from the court, law enforcement agencies, etc. It is not the goal of the panel to punish students who are wrongfully accused or to deny their constitutional rights.

Jane Moran asked what educational opportunities are already in place relative to the Activity Code of Conduct. She encouraged the District to provide life style education to students in the elementary schools. Jill McNaughton replied that there is a family workshop available through the Safe Schools Consortium. Training regarding bullying is provided for students in grade 9. Bob Baeslack replied that the DARE program is offered to fifth grade students while family and consumer science is offered to students in the fourth, seventh and eighth grades.

Leah Reynolds commented regarding item #7 on page 2 of the proposed Activity Code of Conduct. (See addendum item to these minutes.) She said she does not necessarily have a problem if students would be encouraged instead of

required to leave when underage alcohol use or illegal use of drugs is taking place. She also asked about the loss of the student's one-time self-referral option if they leave. Mr. O'Reilly said there is no violation of the proposed Activity Code of Conduct if the student just leaves.

John Wagner discussed pictures of students with bottles in the background on Face Book. He said that some students try to get other students in trouble by altering photographs with computer software. Mr. O'Reilly said there is still a burden of proof that must be satisfied by the School District. Students would not be punished without absolute certainty. He also noted that no 17-year-old should be burdened to serve as a designated driver.

Connie Anderson said that if policy is hard to enforce or rarely enforced, its effectiveness is diminished. Good policies should be enforced strongly. She said that other school districts have policies that have more draconian responses to first offenses. Fear of suspension, 10 days reduced to 3, and family workshop attendance would be more likely deterrents. Mr. O'Reilly said that Upper Arlington's policy for off campus activities include a "preponderance of evidence" standard and the administration makes that determination.

Kathleen Moran, a current senior working on a documentary, said a lot is good regarding the proposed Activity Code of Conduct. She said it would be a greater burden to leave a situation or event in which peer group underage alcohol use or illegal use of drugs is taking place and permit a friend to get injured without a designated driver. She said she would choose to stay in that situation for her friend and risk getting into trouble. She said that although a lot of the policy is good, some people will not change and that she values her friendships. Mr. O'Reilly said that much of this policy is about making choices. One of the choices is the ability to pick up the phone and call a parent. Mrs. McNaughton noted that taking friends as a designated driver might perpetuate the problem.

Robert Faris, a tenth grade student, said the Activity Code of Conduct is like being on trial before going to juvenile court. Consequences are issued by the School District if it is determined that a violation has occurred according to the Activity Code of Conduct possibly before being found innocent by juvenile court. He asked if students might have representation before the panel. Mr. O'Reilly said that the panel would delay making any final decision regarding punishment if a wide discrepancy exists between what the student says and what is reported. The intention of the panel is to act with trust and fairness. He noted that there is always an option for students to have representation before the panel. Malene Faris asked if PPAAUS Survey results contain information regarding student athletes versus all other students. Mr. O'Reilly said that some demographic information is available.

Pete Wenk asked several questions regarding policies for students not involved in extracurricular activities, results from other school districts, and desired results in this school district. He said he has a problem with guilt by association that is implied with the proposed Activity Code of Conduct. He said this aspect of the policy results in resentment for the policy and for those who put it in place. Mr. O'Reilly said the District works with families of students who do not participate in extracurricular activities. Mr. Douglass said he is worried about the gray areas that would result.

Nancy Radcliff is the parent of a middle school student. She said this policy sanctions students by taking away social interaction and removing them from groups that otherwise encourage students. She said we silence our children when they are effectively removed from the good.

Carol Davis said she appreciates that the School District looks at the Activity Code of Conduct as an evolving process and that she agrees with issues on both sides. The School District's policy development is conducted in the students' best interests. The policy not to refund trip expenses and not to permit graduated seniors to go on school trips should have been put in place long ago. She was least worried about her oldest son when he was hearing from his baseball coach that he would not play in the event of a policy violation. At that time, he was on his best behavior. Mr. O'Reilly noted that he is pleased that people are sharing all of their thoughts regarding the proposed Activity Code of Conduct.

Debbie Brannan continued the discussion from Mrs. Davis that she trusts the School District. Some people lose trust for the wrong motives. The proposed Activity Code of Conduct needs to be shored up so it is not dependent on individuals. Students need to have strong character to become a leader with the courage to say no when others do not have that courage. Some students are bad influences and some are good.

Angela LaMonte said that everyone agrees that students need to be kept safe. Her discomfort is with group punishment. She said some parents and teachers punish an entire group of students because they do not want to obtain the information necessary to levy individual punishment. She said she is not comfortable having students self-refer when they have done nothing wrong. Mr. O'Reilly said that students who have done nothing wrong do not need to self-refer. He described some characteristics of the self-referral process. Some discussion continued regarding written guarantees and the need for due process.

Ron Cameron observed that drug and alcohol abuse is a big problem in our culture and here in Grandview Heights. There is little chance of an unsuspecting student showing up at a social situation or event and spontaneously starting to partake. Illegal drug and alcohol abuse has been going on for a very long time. Kathleen Moran said it depends upon the circumstance. Usually assume use or consumption at parties. Students must use their best judgement. Most students do know what is going on.

Linda Teach said she would not want to be a teenager today having to make a lot of difficult decisions. The Activity Code of Conduct needs to reinforce good decision making.

Melissa Snider said that this bureaucracy scares her but that she trusts the people at the helm. She struggles with what we force students to choose. She questioned where the latitude is to work with students so they come out improved. The need for students to be lawful and aware that actions have consequences could be a simple overriding statement of the proposed Activity Code of Conduct.

Lori Cropper said she could tell a plethora of times when students, including team captains and National Honor Society members, knowingly use illegal drugs and alcohol. We want kids to be good kids making good choices. She said

parents who know kids are making poor choices are looking for loopholes. The proposed Activity Code of Conduct will help that situation. She hopes this policy will help reduce the number of instances where kids come out on top despite knowingly violating the Activity Code of Conduct. Kids who don't deserve awards and honors due to their poor choices continue to win them while kids making good choices are overlooked.

Sherry Daniel said she is concerned with what feels like a broad-brush approach to agreement #7 on page 2 of the proposed Activity Code of Conduct. (See addendum item to these minutes.) She questioned what would happen with the student who truly does not know what is going on. We are removing positive peer pressure by eliminating opportunities to try to talk teammates into making better choices. This policy gives a lot of power to kids who want to cause trouble.

Sharon Kientz questioned the time line for self-referral when the incident happens during the summer months. She also asked about a code of conduct for the coaching staff. Mr. O'Reilly said that the High School, Middle School, and Board of Education offices are open during the summer and are available to accept self-referring students. He also noted that the Ohio High School Athletic Association has established guidelines for all coaches to follow.

Discussion continued from persons, most of whom already having had input earlier during the meeting as described above. Ken Odiorne said the introduction is good and understandably tough. He said it might add value and answer concerns if the concept of "innocent until proven guilty" could be added thereby implying some sympathy and assurance. He questioned if a student, acting as a Good Samaritan, would be willing to incriminate other students in the face of being accused of tattling. Kathleen Moran responded that she would never tattle and that people have a right to make their own decisions. This policy targets students willing to use and not use illegal drugs and alcohol. It will not change those who choose to use, in or out of season. Mr. Odiorne said it is the institution's right to choose a code of conduct. There are legitimate conflicts. The court of appeal is to sue the School District. The School District is entitled to establish its code of conduct and it needs to have something in place. Nancy Radcliff said she works with Ohio State University students. There needs to be clear guidelines and expectations. This policy isolates "drunk kids." It does not focus on self-preservation but instead focuses on positive climate. Mr. O'Reilly said he hears concerns that do not eliminate the problems. Gary Essig said kids are making decisions and he questioned where the parents are of the students who are habitually using. He said he would be disappointed if his child left a kid high and dry. Kathleen Moran said there have been coaches on My Space who have told her not to get caught. Students who desire to be role models are more likely to hear and believe a coach. Coaches need to have the codes of conduct with training aimed at prevention. Leah Reynolds indicated that there is little else for kids to do and that some choose not to go out at all rather than make poor choices. Julie Sheets commended Kathleen Moran for her input. Robert Faris asked about situations whereby Grandview Heights High School students are in a place like Europe where teenage drinking is legal. Mr. O'Reilly explained that home rules apply if the students are on a school-sponsored trip. The agreement is still effective regardless of the setting. Connie Anderson asked if this includes the use of tobacco. Mr. O'Reilly said "illegal activities" does not speak to tobacco. Robert Faris said it does speak to some tobacco use and does speak

to "illegal" (underage). He asked about 18-year-olds that choose to smoke legally.

Mr. O'Reilly concluded that students always have a choice including whether or not to participate and to do so honestly. There is a problem with drug and alcohol abuse in the School District and the question is how we choose to deal with it. Parents need to communicate openly with other parents and ask themselves what they are going to do about the problem. Some students may make better choices under the proposed Activity Code of Conduct while others may not. Some students may choose to ignore it. More conversation will result in more chances to deal with the issues.

Board Member Gary Heydinger said he has been approached by a number of parents and that he wanted to share his thoughts on the proposed Activity Code of Conduct. He said the policy should be a code of conduct for parents because it is the job of a parent, not the student, to step in and deal with issues regarding drug and alcohol abuse. Dr. Heydinger said he believes that the School District needs a code of conduct. Not all parents step up to take responsibility regarding these problems. Some parents openly violate or turn a blind eye to issues and the consequences. Some parents' behavior is a big part of the problem. The District's CORE Team sent a pre-prom letter to parents including parental responsibilities. Read this policy in light of the fact that parents need to abide by it. High school students do not own homes. Acknowledge that if students are not guilty, they are not going to be convicted. Parents need to take responsibility for when and how this happens. He said that he is in favor of this proposed Activity Code of Conduct and hopes that parents will support and enforce the policy. He also said that "knowingly" remain in attendance should be incorporated into agreement #7 on page 2 of the proposed Activity Code of Conduct. (See addendum item to these minutes.)

Board Member Anita Keller said she knows that some students make poor choices. She agrees that Grandview Heights School District parents need to step up to the plate. Information is the best weapon when dealing with issues concerning drug and alcohol abuse by students. Nothing can be done if factual information is not passed on appropriately. Parents need to reinforce with their children about the need to do the right thing. She said that parents and other adults need to be role models for students. We should treat kids like kids, not adults.

Board Member Joanne Peters said she has heard a lot of things including comments like other options the District is providing. Some parents say the School District needs to do more while others say the School District should pull back. She said the School District could tweak the proposed Activity Code of Conduct with good suggestions made this evening, incorporate appropriate discipline, and provide educational opportunities regarding the policy.

President McLeod called for any final comments regarding the proposed Activity Code of Conduct. Debbie Brannan said there are parents who have done all the right things but their kids still make poor choices. Not all parents. Jill McNaughton said we are trying to raise students with good character. There has been good input this evening. Everyone wants the same thing. This has been a great start with lots of communication. Carol Davis said this community is fortunate to have good communication with its Board of Education. Jean Crawford said that a community task force in Upper Arlington

exists but they have not yet gotten this far. We want kids to be safe and legal. Sherry Daniel said no one argues against having a code of conduct. However, some of the new parts are concerning. She said the proposed Activity Code of Conduct is too broad and unenforceable in one piece.

Adjournment (V): President McLeod called for a motion to adjourn.

**MOTION 08-041**: Mrs. Keller moved to adjourn.

Dr. Heydinger seconded the motion.

On roll call, the members voted as follows: Heydinger, yes; Keller, yes;

Lithgow, yes; McLeod, yes; Peters, yes. 5 yes.

The president declared the motion carried and the meeting adjourned at 9:55 p.m.

ATTEST: \_\_\_\_\_  
President

\_\_\_\_\_  
Treasurer