

Chippewa School District
Board of Education Regular Meeting
Chippewa Jr/Sr High School Auditorium
Monday, November 21, 2022
6:00 PM

Meeting Minutes

I. OPENING

- A. Call to Order :: Moment of Silence :: Pledge of Allegiance
- B. Present: Mr. DeAngelis, Mrs. Fenn, Mr. Golub, Mr. Hershberger, Mr. Schafrath

RESOLUTION 111-22

- C. Upon consideration to approve the minutes from the October 10, 2022 regular meeting.

Motion to approve by Fenn and 2nd by Schafrath

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

II. STUDENT RECOGNITION /STAFF RECOGNITION /INTRODUCTION OF GUESTS

- A. Student of the Month

Hazel Harvey

Kindergarten: Grant Dannemiller, Lydia Van Huizen

Grade 1: Lily Janas, Kasey Miller

Grade 2: Luke Conkle, Adrianna Costanzo

CIS

Grade 3: Jolene Radebaugh, Byron Bauman

Grade 4: Kennedy Acevedo, Grant Roller

Grade 5: Alayna Thompson, Tanner Klotzle

Grade 6: Mila Pinkus, Noah Lance

JR/SR High School

Grade 7: Kaeden Croft

Grade 8: Nathaniel Spry

Grade 9: Gavin Andrukat

Grade 10: Kaycee Gabor

Grade 11: Kayleigh (Kamryn) Conley

Grade 12: Elizabeth Kindig

- B. Needle Mover – Heidi Breudigam – 23 years of service with no days missed.
- C. HS Volleyball Team – WCAL League Champs. Shared with Smithville (first league title in school history)
HS Girls Soccer – WCAL League Champs. Shared with Norwayne (both with one loss)
MS Boys Cross Country – WCAL Champs, State Runner-Up
Emme Donnelly – MS Girls Cross Country – State Champion

III. CONSIDER APPROVAL OF DONATIONS

RESOLUTION 112-22

Upon consideration it is recommended that the Board of Education approves the following donations:

<u>Donor</u>	<u>Item</u>	<u>Value</u>	<u>Donated For:</u>
Chippewa PTO	Monetary	\$1,145	Camp Nuhop
All Sports Booster Club	Monetary	10,397.60	Volleyball/Cheer uniforms

Thank you to those businesses and individuals that supported school bus week
See Exhibit A

Motion to approve by Golub and 2nd by Fenn

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

IV. PUBLIC PARTICIPATION

Norm Smith – Congrats on the Levy Renewal

V. TREASURER’S UPDATE AND ACTION ITEMS

A. Treasurer’s Comments

1. Update on Fiscal 2021 and Fiscal 2022 audits
2. Time at December Board Meeting – highlights of 5-year forecast and financial reserve discussion.

B. Action Items

RESOLUTION 113-22

1. Upon consideration to approve the October, 2022 unaudited financial report (copy on file at the Doylestown Public Library)

Motion to approve by Fenn and 2nd by Schafrath

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

RESOLUTION 114-22

2. Upon consideration to approve the 5-year forecast for the year ending June 30, 2027. See Exhibit B

Motion to approve by Fenn and 2nd by Golub

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

VI. SUPERINTENDENT’S UPDATES:

- A. Substitute teacher shortage – Severe across the state of Ohio
- B. Ruth Coney – Inducted into the Soccer Coaches Hall of Fame

VII. SUPERINTENDENT’S AGENDA

RESOLUTION 115-22

- A) Upon consideration to approve the hiring of Mary Stein as the EL Tutor for the 2022-2023 school year retroactive September 6, 2022, at \$21.67 per hour per CEA contract.

Motion to approve by Fenn and 2nd by Golub

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

RESOLUTION 116-22

- B) Upon consideration to approve the hiring of Savannah Porter, as a Permanent Substitute Teacher at 132 days, 27,400.56 effective October 24 - June 1, 2023.

Motion to approve by Fenn and 2nd by Schafrath

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

RESOLUTION 117-22

- C) Upon consideration to approve the hiring of Mikayla Deiotte, as a Permanent Substitute Teacher at 97 days, \$20,135.26 effective January 3 – June 1, 2023.

Motion to approve by Fenn and 2nd by Hershberger

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

RESOLUTION 118-22

- D) Upon consideration to approve the CBRE Listing agreement extension, see Exhibit C

Motion to approve by Fenn and 2nd by Golub

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

RESOLUTION 119-22

- E) Upon consideration to approve the use of ESSER funds to purchase 30 air purifier units at \$70,320. See Exhibit D

Motion to approve by Fenn and 2nd by Hershberger

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes **CARRIED**

VIII. SUPERINTENDENT’S CONSENT AGENDA

RESOLUTION 120-22

Upon consideration to approve the following resignation, effective 11/25/2022:

- a. Vince Kotewicz
- B) Upon consideration to approve the transition of Kathy Porter from Title Tutor to Teacher effective 10/3/2022, BA/BS +150, Step 2 per the CEA pay scale.
- C) Upon consideration to approve the following supplemental contracts for the 2022-2023 school year.

<u>Supplemental Name</u>	<u>Person</u>	<u>Percent</u>
Ski Club	Scott Geiser	0%

- D) Upon consideration to approve to accept the monthly update of “New Hire and Sub Database” approved by Tri-County ESC.
- E) Upon consideration to approve to hire the following as substitute classified workers per the substitute pay rate, pending BCI/FBI background checks retroactive to 10/19/22:
- Nicole Hilditch
 - Brittany Mancuso
 - Casey Conkle
 - Emma Hughes
- F) Upon consideration to approve to hire the following teacher substitutes, per the substitute pay rate, pending BCI/FBI background checks:
- Brittany Mancuso
- G) Upon consideration to approve to hire the following non-bachelor teacher substitute, per the substitute pay rate, pending BCI/FBI background checks:
- Nicole Hilditch
- H) Upon consideration to approve the hiring of Aaron McCutchan, as the Varsity Assistant Baseball Coach at 5% this is a split contract.
- I) Upon consideration to approve Drew Ellis as a volunteer baseball coach.
- J) Upon consideration to approve the agreement for Shared EMIS Coordinator Services with Green Local School District for FY23 & FY24 (commencing on July 1, 2021-June 30, 2024), a copy of which is attached hereto and incorporated herein. See Exhibit F
- K) Upon consideration to approve payment to Ken Gasser for 7.75 hours at \$25 per hour of curriculum rate for academic work outside the contracted day.

Motion to approve by Fenn and 2nd by Hershberger

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes

CARRIED

IX. BOARD DISCUSSION

- A. Community Spotlight – John Mertic and Caroline Cooper – Led the Levy Renewal Committee
- B. First Reading on Federal Procurement Policies. See Exhibit E
1. DJF – Purchasing
 2. DECA – Administration of Federal Grant Funds
 3. DJF-R – Federal Requirements

C. Legislative Update

X. EXECUTIVE SESSION

WHEREAS, a public board of education may hold an executive session only after a majority quorum of this board determines by a roll call vote to hold such a session and only at a regular or special meeting for the purpose of the consideration of any of the following matters:

- A. To consider one or more, as applicable, of the check marked items with respect to a public employee or official:
 - 1. Appointment
 - 2. Employment
 - 3. Dismissal
 - 4. Discipline
 - 5. Promotion
 - 6. Demotion
 - 7. Compensation
 - 8. Investigation of charges/complaints (unless public hearing requested)
- B. To consider the purchase of property for the public purposes or for the sale of property at competitive bidding
- C. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.
- D. Preparing for, conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment
- E. Matters to be kept confidential by federal law or rules or state statutes
- F. Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of the law

NOW, THEREFORE BE IT RESOLVED that the Chippewa Board of Education, by a majority of the quorum present at this meeting, does hereby declare its intention to hold an executive session on items: **A-2, B & E** as listed above

Motion to approve by Fenn and 2nd by Hershberger

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes

CARRIED

Time: 6:56 pm

XI. MOTION TO ADJOURN

Motion to adjourn by Hershberger and 2nd by Fenn

Roll Call: DeAngelis yes, Fenn yes, Golub yes, Hershberger yes, Schafrath yes

CARRIED

Time: 7:40 pm

NOTE: *The next Regular Meeting will be held on December 12, 2022 beginning at 6:00 PM.*

Exhibit A

Donations

Fed Ex – Backpacks & misc. school supplies

Donations for Bus Count Week

Peace, Love & Little Donuts

Dunkin Donuts (Wadworth)

Smith Dairy (Ice cream cups)

Nickajack Farms (Tickets)

Ramseyer Farms (Tickets)

Cleveland Zoo (Tickets)

Several From The Bus Garage donated candy and time to fill the candy bags for all the students that rode the bus on Monday Oct 3rd Brenda Wilson, Donna Thomas, Joyce Napier, Krissy Youndgblood, Sarah Mueller

Winners for Bus Count Week

Liahna Caraballo - Nickajack Farms Tickets

Harlow Pfeiffer – Nickajack Farms Tickets

Elliana Nickol – Ramseyer Farms Tickets

Aurora Fausneucht – Cleveleand Zoo Tickets

Esme Desimone - Cleveland Zoo Tickets

Elizabeth Allen – Kalahari Tickets

Chippewa Local Schools, Wayne County, OH

COMMUNITY FRIENDLY FIVE YEAR FORECAST

November 2022

		REVENUE									
	FY21 ACTUAL	FY22 ACTUAL	FY23	FY24	FY25	FY26	FY27				
REAL ESTATE TAXES	\$ 3,630,901	\$ 3,897,199	\$ 3,955,657	\$ 4,024,881	\$ 4,095,316	\$ 4,166,984	\$ 4,239,907				
TANGIBLE PERSONAL PROPERTY TAX	\$ 1,927,305	\$ 2,068,669	\$ 2,089,356	\$ 2,110,249	\$ 2,131,352	\$ 2,152,665	\$ 2,174,192				
INCOME TAX	\$ 2,103,920	\$ 2,397,903	\$ 2,469,840	\$ 2,568,634	\$ 2,620,006	\$ 2,672,406	\$ 2,725,855				
TUITION AND OPEN ENROLLMENT	\$ 727,362	\$ 113,045	\$ 113,045	\$ 113,045	\$ 113,045	\$ 113,045	\$ 113,045				
INTEREST INCOME	\$ 83,753	\$ 66,462	\$ 125,000	\$ 131,250	\$ 131,250	\$ 131,250	\$ 131,250				
OTHER RECEIPTS (LOCAL SOURCES)	\$ 117,485	\$ 44,022	\$ 46,663	\$ 49,820	\$ 52,809	\$ 55,978	\$ 59,336				
STATE FUNDING	\$ 5,010,787	\$ 5,281,000	\$ 5,286,679	\$ 5,281,000	\$ 5,281,000	\$ 5,281,000	\$ 5,281,000				
ROLLBACK & HOMESTEAD	\$ 563,982	\$ 584,737	\$ 590,700	\$ 590,700	\$ 590,700	\$ 590,700	\$ 590,700				
OTHER RECEIPTS - STATE	\$ 140,194	\$ 78,323	\$ 81,000	\$ 83,000	\$ 85,000	\$ 87,000	\$ 89,000				
FEDERAL REVENUE	\$ -	\$ 22,952	\$ 42,000	\$ 42,000	\$ 42,000	\$ 42,000	\$ 42,000				
REFUND PRIOR YEARS	\$ 114,387	\$ 38,120	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000				
TRANSFERS--ADVANCES--MISC.	\$ 318,580	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
TOTAL REVENUE	\$ 14,738,656	\$ 14,592,432	\$ 14,804,940	\$ 14,999,579	\$ 15,147,479	\$ 15,298,029	\$ 15,451,285				
		EXPENSES									
SALARIES	\$ 7,269,632	\$ 7,476,875	\$ 7,835,765	\$ 8,192,292	\$ 8,565,041	\$ 8,954,750	\$ 9,362,192				
BENEFITS	\$ 2,072,055	\$ 3,164,839	\$ 3,240,795	\$ 3,297,509	\$ 3,355,215	\$ 3,413,931	\$ 3,473,675				
PURCHASED SERVICES	\$ 2,391,588	\$ 1,843,686	\$ 1,880,559	\$ 1,899,365	\$ 1,918,359	\$ 1,937,542	\$ 1,956,918				
SUPPLIES	\$ 282,885	\$ 387,338	\$ 426,071	\$ 468,678	\$ 515,546	\$ 567,101	\$ 623,811				
CAPITAL EXPENDITURES - NEW EQUIPMENT	\$ 109,256	\$ 5,971	\$ 350,000	\$ 350,000	\$ 350,000	\$ 350,000	\$ 350,000				
OTHER EXPENSES	\$ 203,279	\$ 203,506	\$ 209,611	\$ 215,900	\$ 222,377	\$ 229,048	\$ 235,919				
TRANSFERS OUT	\$ 402,163	\$ 359,911	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000				
TOTAL EXPENSES	\$ 12,730,858	\$ 13,442,125	\$ 14,242,801	\$ 14,723,744	\$ 15,226,538	\$ 15,752,373	\$ 16,302,515				
SURPLUS / DEFICIT	\$ 2,007,798	\$ 1,150,307	\$ 562,139	\$ 275,835	\$ (79,059)	\$ (454,344)	\$ (851,230)				
BEGINNING CASH BALANCE	\$ 5,092,539	\$ 7,100,337	\$ 8,250,644	\$ 8,812,783	\$ 9,088,618	\$ 9,009,559	\$ 8,555,215				
ENDING CASH BALANCE	\$ 7,100,337	\$ 8,250,644	\$ 8,812,783	\$ 9,088,618	\$ 9,009,559	\$ 8,555,215	\$ 7,703,985				
True Days Cash	204	224	226	225	216	198	172				
Salary & Benefits as a % of Revenue	63.38%	72.93%	74.82%	76.60%	78.69%	80.85%	83.07%				



Chippewa Local Schools 5-Year Forecast Notes and Assumptions November, 2022

Ira D. Hamman, Treasurer/CFO

Revenues FY-2023

Real Estate Tax

Real Estate & Public Utility Personal Property (PUPP) tax revenues account for approximately 41% of the total revenue for the school district. The collections for FY-2022 were up \$407,000 over the same period a year ago (7.33%). The reappraisal in 2020 led to Res/Ag real estate value coming in at 13.36% and Comm/Ind values increasing by 7.62% in FY 21 and will carry over to FY-2022. A smaller 1.5% to 1.75% growth is forecasted beyond FY-2023. The county will do an update of property values in 2023 followed with a reappraisal in 2026.

The district has realized an increase in PUPP values due to the Nexus Pipeline which runs through the district. Original property values were estimated at almost \$66 million. Nexus filed a complaint first in December of 2019 to reduce values by 38.5% and subsequently filed a second complaint in January of 2020 to reduce the values by 52%. Currently, Nexus is paying on approximately \$33 million of valuation. Forecasted revenues from Nexus are based on the reduced value along with a modest 1% annual increase. Once the complaint is settled the value could be increased thus causing Nexus to owe the district additional tax dollars. Conversely, the value could be further reduced creating a District obligation to refund a portion of taxes already paid by Nexus. This revenue source will be updated once final value determination is completed.

Income Tax

The district has a 1% SDIT that was last renewed in 2017 for five years and expires December 31, 2022. In the November 2022 general election, this levy was renewed for another 5 years by a 55:45 margin. Currently, the District is experiencing strong growth after the first two collections for FY-2023.

State Basic Aide

Beginning in FY-2022, Ohio adopted the Fair School Funding Plan (FSFP). Funding is driven by a base cost methodology that incorporates the four components identified as necessary to the education process. The Base Cost is currently calculated for two years using a statewide average from historical data.

Before this new model, several items were listed as "expenses" on the forecast including open enrollment – out, community school and scholarship deductions. These deductions will now be added as a net to the overall state aid revenue line. Therefore, expenses under purchased services will be lower by these amounts in the current forecast. This will also lead to a lower net revenue in state aid, while the combination (net revenue – net expenses) will lead to an overall net increase in state aid. The increase was \$270,213 for FY-2022. There is a very slight increase built into the forecast for FY23 based on the October 2022 foundation payment. After FY-2023, the forecast was based on the FY-2022 actual with no growth projection for growth.. This is due to the fact the new formula shows if completely implemented, we would be on a guarantee. In other words, we could go backwards in state funding. These amounts come from projections from the Ohio Department of Education.

Student Wellness & Success monies were formerly received to Fund #467. This amount is now included in the state basic aide formula and shows up as part of the General Fund..

State of Ohio – Rollback and Homestead (Property Tax Allocation)

This was tax reform from the 1970's as property taxes were rising significantly. The State passed two pieces of legislation. First the Rollback in effect rolled back 10% of taxes for all property tax payers. The second piece provided additional relief for seniors who fall in certain income levels. The State reimburses us for these reductions.

State of Ohio – Other Receipts

Casino revenue is included in this line which began in FY-2013.

Tuition & Open Enrollment

The District offers open enrollment for those families not living in the Chippewa district but wanting to enroll their students at one of our schools. Both open enrollment in and out will be "netted" and included with state unrestricted aid. The District continues to receive preschool tuition and special education tuition for any court placed students in our district.

Interest on Investments

Cash not needed for immediate operations is invested during the year. Interest rates for our investments remain very low but the rates have now started to increase from a low of approximately .008 in November 2021 to a current 30 day yield of 3.02 at October 31, 2022.

Federal Revenue

The Medicaid Schools Program (MSP) has been developed to include federal Medicaid matching funding for specific direct services (including targeted case management), certain administrative activities, and specialized transportation.

Advances - In & Refund of Prior Years

This line represents monies advanced to various funds, mainly federal grant programs at the fiscal year end and is paid back during the next fiscal year. There should not be a need for this in the future.

Expenses:

Salaries & Wages

For FY-2022 and 2023 a 1.25% increase is included for base wage increases per the negotiated agreements. The district has included 1% base wage increases for FY-2024-FY-2026. This number could change due to current union contracts for both classified and certified staff are set to expire June 30, 2023. The district is using Fund 467 (Student Wellness and Success Fund) in FY-2022 to cover the cost of the school nurse and expects those costs to return to the general fund in FY-2024.

Fringe Benefits

STRS/SERS

The district pays 14% of each dollar paid in wages to either the State Teachers Retirement System or the School Employees Retirement System as required by Ohio law. Bonus payments are not included for retirement purposes.

Health Insurance

FY-2022 included a 0% premium increase but with no planned premium moratorium. FY-2023 includes a 6% premium increase. FY-2024 through FY-2027 includes a 3% premium increase with an additional amount of 24,000 that had previously been charged off to ESSER Funds.

Workers Compensation & Unemployment Compensation

Workers Compensation is expected to remain at about 0.6% of wages FY-2022-FY-2026 which is in line with historic growth recently. Unemployment Compensation (UC) has been negligible.

Medicare

Medicare costs will continue to increase due to the projected increase in wages. Contributions are 1.45% for all new employees to the district on or after April 1, 1986. These amounts are growing at the general growth rate of wages.

Purchased Services

Expenses in this category include: professional & legal services, utilities and formerly tuition costs and open enrollment out. Scholarships, open enrollment out and community school deductions will no longer be a purchased service deduction because of the new school funding formula. These expenses will now be "netted" in the state revenue line hence the large decrease in this expense line from FY-2021.

Supplies, Materials, Textbooks

New textbook adoptions can vary greatly between the years. These can be the largest expense in this category. Due to the economy, a 10% increase is forecasted to plan for inflationary growth.

Capital Expenditures & New Equipment

The expenditures represent administrative and instructional equipment, building and site improvements. School bus purchases are included in this category and are budgeted for all five years of the forecast.

Other Objects

These expenditures include insurance, audit expenses and fees charged by the state and county for the collection of tax revenue.

Transfers, Advances, Refunds Out

This account group covers fund to fund transfers and end of year short term advances (loans) from the General Fund to other Funds. Amounts advanced are limited in impact to the General Fund as the amounts are repaid as soon as dollars are received in the debtor fund. In the past, the District has transferred funds to cover the cost of the athletic director and supplements. Beginning in FY-2022 those expenses are charged directly to the General Fund and will reduce the amount needed to cover the athletic fund's year-end balance.

Final Comments

Though not a part of the Five Year Forecast, the reader of these notes may be curious as to what the District has done with the federal funds received due to the Covid Pandemic. Please see below for a summary of those funds made available to the District.

	Initial	<-----Spent----->		Remaining
	Funding	FY-2021	FY-2022	at 6/30/3022
ESSER I				
Salaries & Benefits		23,216	0	
Purchased Svcs		13,715	0	
Supplies		<u>97,555</u>	<u>0</u>	
Total at Jun 30, 2022	135,890	134,486	0	1,404
ESSER II				
Salaries & Benefits		0	147,297	
Supplies		<u>22,636</u>	<u>164,639</u>	
Total at Jun 30, 2022	511,843	22,636	311,936	177,271
ARP ESSER				
Purchased Svcs		0	35,026	
Total at Jun 30, 2022	1,141,057	0	35,026	1,106,031
Coronavirus - Rural & Small Town				
Salaries & Benefits		7,359	0	
Supplies		<u>54,048</u>	<u>0</u>	
Total at Jun 30, 2022	61,407	61,407	0	0
Coronavirus - Broadband				
Purchased Svcs		0	2,329	
Supplies		<u>0</u>	<u>50,960</u>	
Total at Jun 30, 2022	53,289	0	53,289	0
ARP IDEA - Part B Special Ed				
Supplies		<u>0</u>	<u>6,053</u>	
Total at Jun 30, 2022	63,336	0	6,053	57,283
ARP IDEA - Early Childhood Spec Ed				
Total at Jun 30, 2022	4,689	0	0	4,689

Thank you.



AMENDMENT TO LISTING AGREEMENT
 CBRE, Inc.
 Brokerage and Management
 Licensed Real Estate Broker

Exhibit C

October 10, 2022

This is an Amendment to the Exclusive Sale/Lease Listing Agreement ("Listing") dated February 27, 2020 between Frank McMillen ("Owner") and CBRE, Inc. ("Broker") for the real property described as Parcels: 17-01187.000, 17-01188.000, 17-01189.000, 17-01192.000, 17-1193.000, 17-01199.000

Owner and Broker hereby agree to amend the Listing as follows:

- Extend the Exclusive Sale/Lease Listing Agreement to, June 31, 2023

Except as expressly set forth in this Amendment, the Listing shall remain in full force and effect.

Broker:

CBRE, Inc.
 Licensed Real Estate Broker

By: _____

Keith Brandt

Title: Managing Director

Address: 950 Main Avenue Suite 200

Cleveland, Ohio 44113

Telephone: 216-687-1800

E-Mail: _____

Date: _____

Owner:

Todd S. Osborn

By: _____

Title: Owner

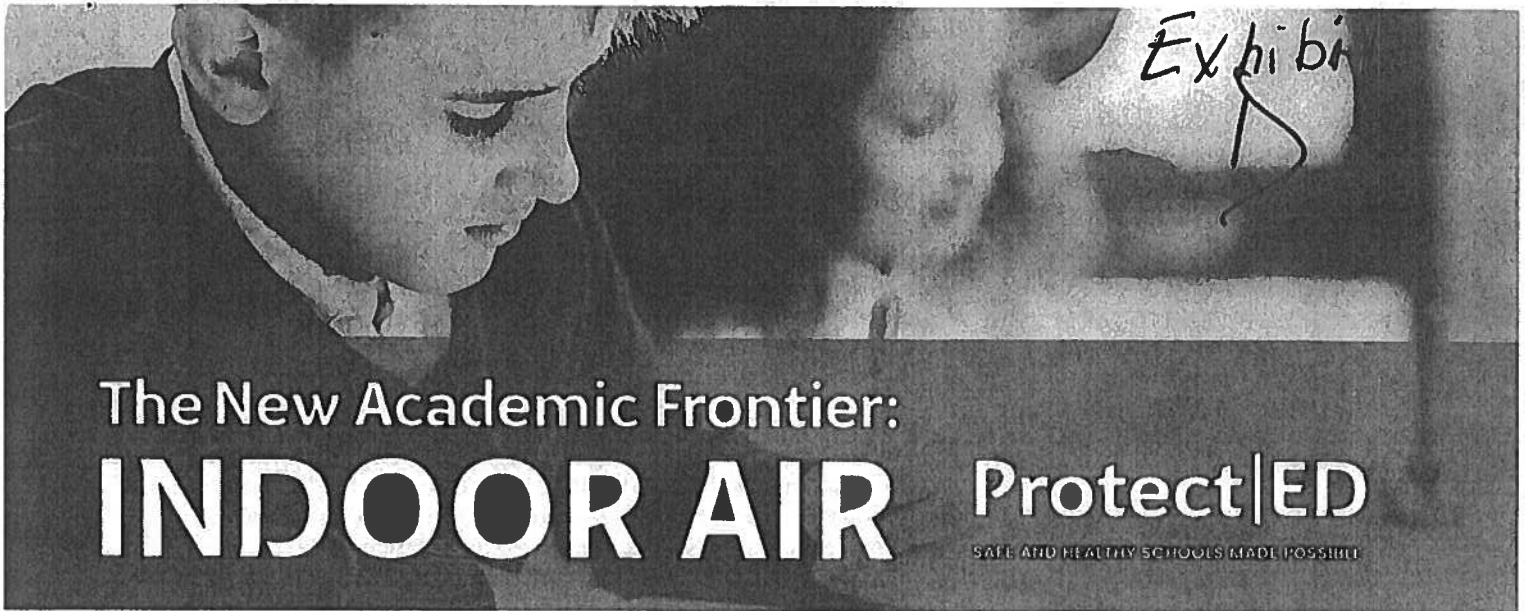
Address: 56 North Portage St

Doylestown, OH 44230

Telephone: _____

E-Mail: chip_tosborn@tccsa.net

Date: _____



The New Academic Frontier:

INDOOR AIR

Protect|ED

SAFE AND HEALTHY SCHOOLS MADE POSSIBLE

A student's health and wellbeing is directly affected by the conditions of school facilities. Unfortunately, too many students are walking into buildings that fall short of air quality standards. All children deserve to learn in places that are safe and healthy, while also nurturing their intellectual growth, social engagement and emotional well-being.

School district leaders across the country are working together with Protect|ED to clean the air and provide a safe and healthy school environment. The Protect|ED team is comprised of healthcare, education and manufacturing professionals who have come together to support and empower K-12 school communities. As a trusted partner, Protect|ED takes this responsibility seriously and works to support schools that share their commitment to improving the air students, faculty and staff breathe every day.

Air Quality & Cognitive Function

The importance of air quality goes beyond health benefits. Clean air has been shown to impact cognitive function in students as well. By ensuring students have clean air to breathe, schools can better position students for future academic success.

According to Harvard's T.H. Chan School of Public Health's "Schools for Health" report, contaminated air may hamper learning by compromising brain development, triggering illnesses that impact attendance and disrupting students' attention. In fact, there is a direct correlation with test scores:

- According to a study from the London School of Economics, tracking 2,400 university students who took 11,000 exams at multiple locations over multiple days, poor air quality compromised test results even when pollution levels fell well below EPA standards.
- In a Texas school district, test scores rose after 66 schools were renovated to improve air quality, including removing mold and improving ventilation.

Over the course of a K-12 education, a child will spend more than 15,000 hours at school. Classrooms, cafeterias, libraries and gymnasiums, even when cleaned to high standards, are reservoirs for biological and chemical contaminants.

Children have lungs that are still developing and narrow airways, so it is critically important to ensure the air they breathe is clean. By improving air quality, schools are better able to keep kids learning in the classroom, reducing absenteeism while having a positive impact on academic performance.

FAST FACTS

An estimated **46%** of U.S. public schools, (about 60,000 school buildings,) **faced air-quality challenges prior to the pandemic.**

— Harvard's T.H. Chan School of Public Health's "Schools for Health" Report

Indoor air is **5-10x** more contaminated than outdoor air.

Schools can tap into the federal **Elementary and Secondary School Emergency Relief Fund (ESSER)** on their quest to improve indoor air quality. **ESSER**

Long before COVID-19 emerged, the Environmental Protection Agency **described air quality** in many schools as a **"serious health threat."**



Hays Consolidated Independent School District

In late December 2021, Hays Consolidated Independent School District in Texas installed more than 1,800 NanoStrike™ units. These units are now placed in every classroom in the district, as well as nurses' offices, reception areas, extracurricular rooms, gyms, cafeterias and libraries to help reduce airborne contaminants.

Tobias and Fuentes Elementary Schools, as well as Dahlstrom Middle School, were among the campuses in the district most affected by the COVID-19 pandemic. Installations began at Tobias Elementary, which was a high priority for the district. In September 2021, more than 10 percent of the campus tested positive for the coronavirus, triggering a full campus closure.

Hays CISD was the first district in the area to take a closer look at its indoor air quality.

"The pandemic sort of was that catalyst to really get people thinking about indoor air quality a little harder. Our district aims to be proactive as we think of creative solutions to keep kids and staff safe and in the classroom."

— Max Cleaver
Hays CISD's Chief Operations Officer

The investment was approved by a 6-0 vote by the Hays CISD school board with funding coming from federal Elementary and Secondary School Emergency Relief (ESSER). The actions taking by the school board

go far beyond the pandemic and will support indoor air quality for years to come.

Since the installation of the units, the school has seen a significant difference in the quality of the air.

"We could tell a major difference, especially with the scent of the air, after day one," said Tim Savoy, Chief Communications Officer for Hays CISD. "We put the unit to the test in a building that was built in the late 1800s, and the NanoStrike™ removed that musty scent within hours."



Book Policy Manual

Section Federal procurement policies for review

Title Purchasing Procedures

Code DJF

Status From OSBA

Purchasing Procedures

Monies under the jurisdiction of the Board may not be expended except upon a warrant drawn against a specific appropriation and against a specific fund. Therefore, no contract or purchase order for the expenditure of money will be made unless there is attached to it a certificate of the Treasurer certifying that the amount required to meet the contract or purchase order has been appropriated and is in the treasury, or is in the process of collection, and is free from previous encumbrance.

Any contract or purchase order issued without such a certificate attached is void, except as the law allows later issuance within 30 days of the certificate and except that, if the amount involved is less than \$3,000, the Treasurer may authorize it to be paid without the ratification or affirmation of the Board. Under certain conditions, the law also allows the Treasurer to issue blanket certification, subject to limitations of time and amount as set by law.

Purchasing procedures are designed to ensure the best possible price for the desired products and services. Procedures for purchasing are developed to require that all purchases are made on properly approved purchase orders and that, for items not put up for bid, price quotations are solicited.

Special arrangements may be made for ordering perishable and emergency supplies.

Prior to July 1, 2018, the District followed the requirements outlined in previous OMB guidance. Effective July 1, 2018 all purchases for property and services made using federal funds must be conducted in accordance with all applicable Federal, State and local laws and regulations, the Uniform Guidance, and the District's written policies and procedures.

CROSS REFS.: DECA, Administration of Federal Grant Funds
DJ, Purchasing
DJC, Bidding Requirements

NOTE: *The Uniform Grant Guidance (Uniform Guidance) issued by the U.S. Office of Management and Budget (OMB) effects certain federal funds districts receive.*

The guidance replaces requirements found in eight previous OMB circulars. The new rules are in effect for new or noncompeting continuation grants awarded by OMB on or after December 26, 2014.

Districts are required to have written policies and/or procedures for the management of funds subject to the Uniform Guidance. The new rules are outlined in the Code of Federal Regulations (CFR) 200 and emphasize the need for strong financial management systems and other internal controls aimed at controlling fraud, waste and abuse. Internal controls should be in compliance with guidance in the Standards for Internal Control in the Federal Government issued by the comptroller general of the United States or the Internal Control Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission.

Legal ORC 3313.46

ORC 3327.08

ORC 5705.41(D)(1)

ORC 5705.412

ORC 5705.44

2 CFR Part 200

Book	Policy Manual
Section	Federal procurement policies for review
Title	Administration of Federal Grant Funds
Code	DECA
Status	From OSBA

Administration of Federal Grant Funds

The Board accepts federal funds, which are available, provided that there is a specific need for them and that the required matching funds are available. The Board intends to administer federal grant awards efficiently, effectively and in compliance with all requirements imposed by law, the awarding agency and the Ohio Department of Education (ODE) or other applicable pass-through entity.

The Board directs the Treasurer to develop, monitor, and enforce effective financial management systems and other internal controls over federal awards that provide reasonable assurances that the District is managing the awards in compliance with all requirements for federal grants and awards. Systems and controls must meet all requirements of Federal law and regulation, including the Uniform Guidance issued by the U.S. Office of Management and Budget (OMB) and any applicable State requirements, and shall be based on best practices.

All individuals responsible for the administration of a federal grant or award shall be provided sufficient training to carry out their duties in accordance with all applicable requirements for the federal grant or award.

The financial management systems and internal controls must provide for:

1. identification of all federal funds received and expended and their program source;
2. accurate, current, and complete disclosure of financial data in accordance with Federal requirements;
3. records sufficient to track the receipt and use of funds;
4. effective control and accountability over assets to assure they are used only for authorized purposes and
5. comparison of expenditures against budget.

In addition, written procedures must be established for cash management and for determining the allowability of costs, as required by the Uniform Guidance.

At a minimum, the financial management systems and internal controls will address the following areas:

1. Allowability

Costs charged by the school system to a federal grant must be allowed under the individual program and be in accordance with the cost principles established in the Uniform Guidance, including how charges made to the grant for personnel are to be determined. Costs will be charged to a federal grant only when the cost is

- A. reasonable and necessary for the program;
- B. in compliance with applicable laws, regulations, and grant terms;
- C. allocable to the grant;
- D. adequately documented and
- E. consistent with District policies and procedures that apply to both federally-funded and non-federally funded activities.

Internal controls will be sufficient to provide reasonable assurance that charges to federal awards for personnel expenses are accurate, allowable, and properly allocated and documented.

Controls include time and effort reporting in accordance with Uniform Guidance and the requirements of ODE or other applicable pass-through-entity. Records are sufficient to verify that time spent and compensation (including salary and benefits) are allocable to the fund.

2. Cash Management and Fund Control

Payment methods must be established in writing that minimize the time elapsed between the draw-down of federal funds and the disbursement of those funds. Standards for funds control and accountability must be met as required by the Uniform Guidance for advance payments and in accordance with the requirements of ODE or other applicable pass-through-entity.

3. Procurement

Prior to July 1, 2018, the District followed the requirements outlined in previous OMB guidance. Effective July 1, 2018 all purchases for property and services made using federal funds must be conducted in accordance with all applicable Federal, State and local laws and regulations, the Uniform Guidance, and the District's written policies and procedures.

The District avoids situations that unnecessarily restrict competition and avoids acquisition of unnecessary or duplicative items. Individuals or organizations that develop or draft specifications, requirements, statements of work, and/or invitations for bids, requests for proposals, or invitations to negotiate, are excluded from competing for such purchases. The District performs a cost and price analysis for every procurement over the established simplified acquisition threshold.

Contracts are awarded only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration is given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. No contract is awarded to a contractor who is suspended or debarred from eligibility for participation in federal assistance programs or activities.

The District takes all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. The affirmative steps taken include:

- A. placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- B. ensuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
- C. dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
- D. establishing delivery schedules, where the requirement permits, that encourage participation by small and minority businesses and women's business enterprises;
- E. using the services and assistance, as appropriate, of organizations such as the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce;
- F. requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

The District also complies with all Buy American provisions where applicable.

Purchasing records are sufficiently maintained to detail the history of all procurements and must include at least the rationale for the method of procurement, selection of contract type, and contractor selection or rejection; the basis for the contract price; and verification that the contractor is not suspended or debarred.

4. Conflict of Interest and Mandatory Disclosures

The District complies with the requirements of State law and the Uniform Guidance for conflicts of interest and mandatory disclosures for all procurements with federal funds.

Each employee, Board member, or agent of the school system who is engaged in the selection, award, or administration of a contract supported by a federal grant or award and who has a potential conflict of interest must disclose that conflict in writing to the Treasurer. The Treasurer discloses in writing any potential conflict of interest to ODE or other applicable pass-through-entity.

A conflict of interest would arise when the covered individual, any member of his/her immediate family, his/her partner, or an organization, which employs or is about to employ any of those parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for a contract. A covered individual who is required to disclose a conflict will not participate in the selection, award, or administration of a contract supported by a federal grant or award.

Employees, Board members, or agents of the District will not solicit or accept any gratuities, favors, or items from a contractor or a party to a subcontractor for a federal grant or award. Violations of this rule are subject to disciplinary action.

The Treasurer discloses in writing to ODE or other applicable pass-through-entity in a timely manner all violations of Federal criminal law involving fraud, bribery, or gratuities potentially affecting any federal award. The Treasurer fully addresses any such

violations promptly and notifies the Board accordingly.

5. Equipment and Supplies Purchased With Federal Funds

Equipment and supplies acquired with federal funds will be used, managed, and disposed of in accordance with applicable State and Federal requirements. Property records and inventory systems shall be sufficiently maintained to account for and track equipment that has been acquired with federal funds.

6. Accountability and Certifications

All fiscal transactions must be approved by the Treasurer/designee who can attest that the expenditure is allowable and approved under the federal program. The Treasurer submits all required certifications.

7. Monitoring and Reporting Performance

The Treasurer will establish sufficient oversight of the operations of federally supported activities to assure compliance with applicable Federal requirements and to ensure that program objectives established by the awarding agency are being achieved. The District submits all reports as required by federal or state authorities.

LEGAL REFS:

- ORC 9.314
- ORC 117.101
- ORC 117.43
- ORC 3313.33
- ORC 3313.46
- ORC 3319.04
- ORC 5705.39
- ORC 5705.41
- ORC 5705.412
- 2 CFR Part 200

CROSS REFS.:

- BBFA, Board Member Conflict of Interest
- BCC, Qualifications and Duties of the Treasurer
- DI, Fiscal Accounting and Reporting
- DID, Inventories (Fixed Assets)
- DJ, Purchasing
- DJC, Bidding Requirements
- DJF, Purchasing Procedures
- DK, Payment Procedures
- EF/EFB, Food Services Management/Free and Reduced-Price Food Services
- GBCA, Staff Conflict of Interest
- IGBJ, Title I Programs

NOTE: The Uniform Grant Guidance (Uniform Guidance) issued by the U.S. Office of Management and Budget (OMB) effects certain federal funds districts receive. The guidance replaces requirements found in eight previous OMB circulars. The new rules are in effect for new or noncompeting continuation grants awarded by OMB on or after December 26, 2014.

Districts are required to have written policies and/or procedures for the management of funds subject to the Uniform Guidance. The new rules are outlined in the Code of Federal Regulations (CFR) 200 and emphasize the need for strong financial management systems and other internal controls aimed at controlling fraud, waste and abuse. Internal controls should be in compliance with guidance in the Standards for Internal Control in the Federal Government issued by the comptroller general of the United States or the Internal Control Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission.

This policy is intended to establish the Board's expectations and standards for financial management and other internal controls necessary to meet its obligations when receiving federal grant awards. This policy is not sufficient, alone, to serve as the written controls required by the Uniform Guidance. It must be supplemented with written procedures that should be developed by the Treasurer.

Book Policy Manual
Section Federal procurement policies for review
Title Purchasing Procedures
Code DJF-R
Status From OSBA

Purchasing Procedures

General

1. The Board designates the Superintendent as the purchasing agent.
2. No person may commit the District to a purchase without the appropriate certificate of the availability of funds.
3. The materials, equipment, supplies and/or services to be purchased are of the quality required to serve the function in a satisfactory manner, as determined by the requisitioner and the Superintendent.
4. It is the responsibility of the requisitioner to provide an adequate description of the item(s) purchased so that the purchasing agent may be able to prepare the specifications and to procure most expeditiously and economically the desired commodity and/or service. A source of supply should be included on requisitions for specialty or unusual items.
5. No requisitioner shall knowingly restrict competition or otherwise preclude the most economical purchase of the required items.
6. When a low bidder proposes an alternate as equal to that specified, it is the responsibility of the Treasurer to determine whether the proposed substitution is, in fact, an equal. Such decision is based on his/her evaluation and that of the requisitioner. In the case of disagreement between the requisitioner and the Treasurer, either party may refer the matter to the Superintendent.

Requisitions

1. The District establishes a standardized requisition procedure to allow authorized representatives to submit requests for the purchase of materials and supplies.
2. The following are designated as "requisitioner"; that is, they are authorized to issue requisitions against stipulated segments of budgetary appropriations: the Superintendent, administrative assistants, directors, supervisors and building principals. Each requisitioner is responsible for limiting his/her requisitions to the appropriate amounts.
3. Only District-approved methods or forms are used for requisitioning.
4. A requisition, to be considered appropriate for processing, meets the following requirements:
 - A. contains adequate information and
 - B. is approved by and bears the signature of an authorized requisitioner.
5. All approved requisitions are submitted to the Treasurer.
6. After a purchase order has been issued by the Treasurer's office, the number of the purchase order is recorded on the requisition.
7. After processing, the original copy of the requisition is filed in the office of the Treasurer.

Purchase Orders

1. Purchase orders are prepared by the appropriate person and at a minimum include the following essentials:
 - A. a specification that adequately describes to the supplier the characteristics and the quality standards of the item required;
 - B. a firm, quoted, net-delivered price, whenever possible (unit prices are shown);
 - C. clear delivery instructions, including place and time;

D. appropriate account code number or appropriation code and

E. the Treasurer's certificate of available revenue and appropriation.

2. Purchase orders use an identifiable tracking system established by the District and contain the appropriate number of copies to meet District needs.

3. Verbal confirmation orders subject to subsequent confirmation by a written purchase order may be issued only in cases in which a bona fide emergency situation exists that can be handled only by this procedure:

A. whenever possible, a purchase order number should be given to the supplier and

B. a confirming requisition is issued immediately, marked "confirmation" indicating the purchase order number, if one was given.

Federal Procurement

Purchasing of goods and services using federal funds must be done in accordance with the above procedures and also in accordance with all federal requirements including allowability of costs. All purchases must be reasonable and free of conflicts of interest and conducted in a manner providing full and open competition.

No purchase will be made using federal funds unless the District verifies that the contractor is not suspended or debarred.

To determine which procurement method type is required, the District will *(customize to reflect process: this may be looking back at the last three years of expenditures for the specific goods or services to be purchased with federal funds and determine which method of procurement/contract type is applicable to the individual situation based on the average aggregate amount spent with the providing vendor in a fiscal year or another similar method).*

Once the threshold has been established, the following methods of procurement will be used for all purchases of goods and services made with federal funds.

Informal Procurement Methods

1. Micro-purchases are purchases up to \$10,000 and may be made in accordance with District purchasing procedures when the costs are reasonable, based on research, experience, purchase history or other information and documents. To the maximum extent practicable, these purchases are distributed equitably among qualified suppliers.

2. Small purchase are purchases between \$10,000 and \$250,000. Prior to authorizing the purchase, the District will obtain price rates or quotations from a ~~minimum of _____ vendors or providers.~~ *an adequate number of qualified sources.* The District will obtain these price rates or quotations ~~by (customize~~ *to include but not be limited to obtaining quotes verbally, in writing, using price listing on websites, etc.).*

Formal Procurement Methods

1. Sealed bid procedures are used for firm fixed price contracts over \$250,000 and is used as the preferred method for construction projects. Bids are solicited from an adequate number of known suppliers, which cannot be less than two responsible bidders. The District will solicit bids by _____ *Using the same process used for bidding projects with state funds).* The contract will be awarded to the lowest responsive and responsible bidder.

2. Competitive proposals are used for all fixed price or cost reimbursement contracts over \$250,000 for which sealed bids are not appropriate and must be used for architectural or engineering services. The District will publicize a request for proposal by _____ *using various advertising methods including but not limited to, radio, internet, newspapers, etc.).* The District will evaluate proposals in order to award the contract to the most advantageous proposal when considering cost and other factors.

Noncompetitive Procurement

Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

1. the aggregate amount does not exceed the established micro-purchase threshold;
2. the goods or services are only available from a single source;
3. a public exigency or emergency exists;
4. the applicable pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the District or
5. after solicitation of a number of sources, competition is determined inadequate.

All solicitations:

1. Include clear and accurate description on the technical requirements for the material, product or service to be procured. This description sets forth the minimum and essential characteristics the material, product or service must meet.
2. Will not contain specifications that unduly restrict competition.
3. Identify all requirements offerors must fulfill and all other factors to be used in evaluating bids or proposals.

The District also complies with all fund specific obligations. The District includes the following clauses in contracts when required for the fund type:

1. equal employment opportunity
2. termination for cause and convenience
3. contract work hours/safety standards
4. Davis Bacon Act provisions
5. rights to inventions made under a contract
6. debarment and suspension
7. Byrd Anti-Lobbying Amendment language.

To the extent required by law, the District shall require that the person awarded a contract satisfy the bonding requirements set forth in the applicable Federal regulations.

The District maintains records to verify selection of procurement type and compliance with applicable procurement requirements.

NOTE: Most boards wish to review and give their official stamp of approval to procedural regulations involving purchasing, but a board would not be expected to develop such a regulation—only to review and approve it.

The Uniform Grant Guidance (Uniform Guidance) outlined in 2 CFR 200 outlines the requirements for purchases made through the use of federal funds. Districts should ensure District procedures for purchasing items with federal funds are in compliance with the Uniform Guidance requirements. Districts may customize this regulation to reflect District practice for purchases made with federal funds.

**AGREEMENT FOR THE SHARING OF
EMIS COORDINATOR SERVICES**

This Agreement for Shared EMIS Coordinator Services (“Agreement”) is hereby entered into by and between the Chippewa Local School District Board of Education (“Chippewa”), whose address is 56 North Portage Street, Doylestown, OH 44230, and the Green Local School District Board of Education (“Green”), whose address is 100 Smithie Drive, Smithville, OH 44677 (collectively, “the Districts”).

WHEREAS, the Districts understand and acknowledge that they are required to report certain data to the Ohio Department of Education through its Education Management Information System (“EMIS”) pursuant to the applicable laws and regulations of Revised Code Section 3301.0714 and Administrative Code Section 3301-14-01; and

WHEREAS, Green currently employs a qualified individual in the capacity of EMIS Coordinator; and

WHEREAS, the Districts recognize the benefits of reduced costs and increased efficiency associated with sharing personnel charged with meeting each district’s EMIS reporting obligations; and

WHEREAS, the Districts desire to formalize the sharing of such services by entering into this Agreement pursuant to the powers and authority provided for in Revised Code Section 9.482.

NOW, THEREFORE, the Districts agree as follows:

1. EMIS Coordinator.

The Districts agree to share the services of a qualified individual who shall be responsible for meeting each district’s obligations to report required district data to the Ohio Department of Education through EMIS (“EMIS Coordinator”).

Green agrees to provide its duly employed EMIS coordinator to Chippewa to perform the shared EMIS Coordinator services pursuant to this Agreement.

The EMIS Coordinator shall remain an employee of Green, and Green shall have sole and final authority to take employment action with respect to the EMIS Coordinator, such as discipline, evaluation, or contract renewal. Chippewa expressly acknowledges that it has no employment authority over the EMIS Coordinator. Chippewa may, from time to time, provide feedback and/or comments to Green regarding the performance of the EMIS Coordinator. Green shall give such performance-related feedback/comments due consideration.

When the EMIS Coordinator is providing services to Chippewa she/he will do so at the direction of Chippewa's Superintendent.

Should the EMIS Coordinator's employment with Green be terminated at any time during the term of this Agreement, Green agrees to seek a qualified replacement within a reasonable amount of time.

2. Term.

Services provided under this Agreement shall be for a term of one school year, commencing on July 1, 2021 and shall end on June 30, 2022. This Agreement shall automatically renew on July 1, 2022 for an additional one (1) year period, and shall automatically renew on July 1 each year thereafter, unless either district provides written notice declaring its intent not to renew the Agreement by April 1 of the current term.

3. Payment and Reimbursement.

Green shall bear sole responsibility to pay EMIS Coordinator his/her annual compensation per the terms of EMIS Coordinator's employment agreement with Green. Green shall pay EMIS Coordinator's professional development.

Chippewa shall reimburse Green in the amount equal to fifty (50) per-cent of the EMIS Coordinator's annual compensation, which shall include his/her salary, employer contributions to SERS, and employer premiums for medical/ dental coverage, Medicare, BWC premiums as consideration for receiving the benefit of shared services. Furthermore, Chippewa agrees to reimburse Green for the cost of EMIS Coordinator's association dues. Furthermore, if Chippewa needs additional days of service, it shall request said days in writing and Green local will invoice Chippewa for the additional days of service at the current per diem rate.

When the EMIS Coordinator works both in Green and Chippewa on the same day and therefore has to travel between the two locations, Chippewa shall reimburse the EMIS Coordinator for mileage expenses incurred during travel. If the EMIS Coordinator works solely in Chippewa on a given day, the EMIS Coordinator will not be entitled to mileage reimbursement.

4. Termination.

At any time and without cause, either district may terminate this Agreement by providing no less than six months written notice to the other district prior to the Agreement's termination date.

If, at any time during the initial term of this Agreement or any successive renewal terms, Chippewa deems the EMIS Coordinator's performance unsatisfactory, Chippewa may elect to terminate this Agreement by providing no less than sixty days of written notice to Green indicating its intent to do so.

5. Confidentiality.

The Districts understand and acknowledge that due to the nature of the duties to be performed by the EMIS Coordinator, the EMIS Coordinator may have access to the confidential student personally identifiable information ("PII") of students of each district that is required to be kept confidential by applicable state and federal law. The Districts agree to instruct the EMIS Coordinator to maintain such required confidentiality, and not share any confidential Green student PII with colleagues at Chippewa, and vice versa.

6. Indemnification.

When the EMIS Coordinator is providing services to Chippewa, Chippewa is responsible for the costs of defense and any liability arising out of the EMIS Coordinator's services provided to Chippewa to the extent required by applicable law. In the event of a dispute as to whether applicable law requires Chippewa to provide indemnity and a defense to the EMIS Coordinator, such dispute shall be resolved between Chippewa and the EMIS Coordinator and Chippewa shall indemnify and defend Green from and against any obligation to defend and indemnify the EMIS Coordinator that may otherwise be required of Green as the employer of the EMIS Coordinator or by virtue of this Agreement.

Other than expressly provided for above, neither district shall be responsible for the acts or omissions of the other district's officers or employees, nor shall either district incur any liability arising out of the services of any of the other district's officers or employees.

7. No Partnership.

The Districts intend by this Agreement to establish only a cost-sharing arrangement with regard to the provision of EMIS coordination services and do not intend to create a partnership, joint venture, or joint partnership of any kind.

8. Joint Representation.

The Districts hereby acknowledge that they each use the law firm of Peters Kalail & Markakis Co., L.P.A. as their general counsel and that this Agreement was prepared with their prior knowledge and approval by Peters Kalail & Markakis. The Districts further state that Peters Kalail & Markakis advised them that they could seek independent counsel associated with the preparation of this Agreement, but they voluntarily elected to jointly use Peters Kalail & Markakis to prepare the Agreement, and as such they knowingly and

affirmatively waived any potential conflicts of interest associated with the preparation of this Agreement by Peters Kalail & Markakis.

9. Notices.

All notices required or permitted to be given under this Agreement shall be in writing and transmitted via regular or electronic mail to the appropriate addresses indicated below.

For Chippewa:

Mr. Todd Osborn, Superintendent

56 North Portage Street
Doylestown, OH 44230

Email: chip_superintendent@tccsa.net

For Green:

Mr. Dean Frank, Superintendent

P.O. Box 438
100 Smithie Drive
Smithville, OH 44677

Email: gren_dfrank@tccsa.net

10. Amendment.

No modification, waiver, mutual termination, or amendment of this Agreement is effective unless made in writing and signed by duly authorized representatives for each district.

11. Governing Law.

This Agreement shall be governed by and construed under the laws of the State of Ohio. Venue for any action regarding this Agreement shall be any court of competent jurisdiction located in Wayne County, Ohio.

12. Entire Agreement.

This Agreement constitutes the complete and exclusive Agreement between the Districts relating to the sharing of EMIS coordination services. No terms, conditions, understandings or agreements purporting to modify or vary this Agreement, unless hereafter made in writing and signed by each district, shall be binding on the Districts. Further, the undersigned represent that each has the full power and authority to bind their respective district to the terms of this Agreement.

IN WITNESS THEREOF, the Districts set their hands:

GREEN LOCAL SCHOOL DISTRICT
BOARD OF EDUCATION

CHIPPEWA LOCAL SCHOOL DISTRICT
BOARD OF EDUCATION

By: _____

By: _____

Its: _____

Its: _____

Date: _____

Date: _____