



**SUPERINTENDENT'S RECOMMENDATIONS**

**January 05, 2010**

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Honorable Members of the Board of Education  
Dayton City School District

**ITEM I**

I recommend that the **SEPARATIONS OF EMPLOYMENT** of the following persons be accepted for both regular and supplemental duties.

**OPERATIONS**

001.2700.141.6241.000000.368.00.902

Keith, Nathaniel

Termination

Eff. 01/06/2010

001.2700.141.6241.000000.367.00.902

Spencer, Alfred

Retirement

Eff. 03/01/2010

**ITEM II**

I recommend that the following **LEAVE OF ABSENCE ACTIONS** for Members of the staff shown below be approved for the reasons stated.

**TRANSPORTATION**

001.2800.141.6320.000000.537.00.704

Johnson, James

Medical

Eff. 01/04/2010-01/25/2010

**ITEM III**

I recommend that the following **APPOINTMENTS AND CHANGES TO THE CONTRACTS of the PROFESSIONAL STAFF MEMBERS** shown be approved in accordance with the bargaining unit agreements, Board-approved salary schedules and/or mandates of the State Division of Career, Technical and Adult Education.

**TEACHER**

**Change of Contract**

From Reserve Teacher to Teacher at the rate of \$47,066.00 annually, NTE 72.5 hrs,

Eff. 12/15/2009, 001.1110.111.3020.080000.105.00.205

Lipkins, John

**Supplemental Contract**

DAVID H. PONITZ CAREER TECHNOLOGY CENTER

HS Asst. Boys Basketball Coach at the rate of \$3,178.16 annually,  
Eff. 11/16/2009-03/28/2010, 001.4510.111.5510.000000.370.00.802  
Moss, Derrick

HS Cheerleader Advisor at the rate of \$678.72 annually,  
Eff. 11/06/2009-03/28/2010, 001.4510.111.5510.000000.370.00.802  
Wilkes-Tarrance, Dwan

RUSKIN PREK-8 SCHOOL

Boys Basketball Coach at the rate of \$1,781.64 annually,  
Eff. 11/16/2009-02/12/2010, 001.4510.111.5510.000000.143.00.802  
Meisner, Gregory E.

Girls Basketball Coach at the rate of \$1,781.64 annually,  
Eff. 11/16/2009-02/12/2010, 001.4510.111.5510.000000.143.00.802  
Meisner, Gregory E.

STIVERS SCHOOL FOR THE ARTS

HS Cheerleader Advisor at the rate of \$678.72 annually,  
Eff. 11/06/2009-03/28/2010, 001.4510.111.5510.000000.271.00.802  
Underwood, Shawn

THURGOOD MARSHALL HIGH SCHOOL

HS Wrestling Coach at the rate of \$3,586.57 annually,  
Eff. 11/16/2009-03/06/2010, 001.4510.111.5510.000000.372.00.802  
Muhammed, Armiya K.

VALERIE PREK-8 SCHOOL

Girls Basketball Coach at the rate of \$1,979.60 annually,  
Eff. 12/07/2009-02/12/2010, 001.4510.111.5510.000000.146.00.802  
Ross, Stephen

#### **ITEM IV**

I recommend that the following **APPOINTMENTS AND CHANGES for NON-TEACHING PERSONNEL** be approved at the rates indicated and for the periods shown, in accordance with the salary schedule for the period stated.

##### **ADJUNCT STAFF**

##### **Change of Contract**

STIVERS SCHOOL FOR THE ARTS

From Reserve Teacher to Adjunct at the rate of \$18.37 hourly,

Eff. 01/04/2010-06/30/2010, 001.1120.142.3025.000000.271.00.205

Phelps, Sue

##### **NON-NEGOTIATED/NON-ADMINISTRATIVE**

##### **Change of Contract**

ADMINISTRATIVE BUILDING

From Speech Language Pathologist to Student Intern at the rate of \$25,000 annually,

Eff. 8/17/2009-06/30/2010, 001.2150.111.3045.196530.364.00.326

Hanson, Ryan

#### **ITEM V**

I recommend that the Board authorize the **General Funds PURCHASE ORDERS** as submitted by the Treasurer.

**DAYTON BOARD OF EDUCATION  
OFFICE OF THE TREASURER  
January 05, 2010**

**GENERAL FUNDS**

TO: Superintendent of Schools  
FROM: Treasurer  
SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

(1) 119603

Vendor: Dayton Tool Crib Inc.

Fund: 001.1316.640.4360.000000.500.00.000 (Qty: 1) (Amt: \$8,916.48)

Description: OSHA (Occupational Safety and Health Administration) & NATEF (National Automotive Technicians Education Foundation) required student safety equipment for Career-Technical Automotive Program

Amount: \$8,916.48

(2) 119355

Vendor: Hamilton County Board of MRDD

Fund: 001.1220.470.4502.000000.500.00.000 (Qty: 1) (Amt: \$17,750.00)

(Special Education)

Description: Tuition for special needs students for the 08/09 SY.

Amount: \$17,750.00

(3) 119578

Vendor: Montgomery County Educational Service Center

Fund: 001.2150.410.4511.000000.500.00.000 (Qty: 1) (Amt: \$41,930.00)

Description: For Occupational Therapy services provided for DPS Special Education students for the 08/09 SY.

Amount: \$41,930.00

(4) 119796

Vendor: Montgomery County Educational Service Center

Fund: 001.2940.414.7310.000000.500.00.000 (Qty: 1) (Amt: \$7,000.00)

(Human Resources)

Description: Posting of jobs and receiving electronic employment applications.

Amount: \$7,000.00

(5) 119352

Vendor: Montgomery County Juvenile

Fund: 001.1220.470.4502.000000.500.00.000 (Qty: 1) (Amt: \$5,202.00)

(Special Education)

Description: To cover tuition for DPS special needs students for the 08/09 SY.

Amount: \$5,202.00

(6) 119232

Vendor: Ohio School Boards Assoc.

Fund: 001.2510.841.2001.000000.500.00.000 (Qty: 1) (Amt: \$9,692.00)

Description: Annual membership dues, briefcase subscription, school management news.

Amount: \$9,692.00



(7) 119651

Vendor: OSBA (Ohio School Board. Assoc.)

Fund: 001.2510.841.2001.000000.500.00.000 (Qty: 1) (Amt: \$250.00)

Description: OSBA Legal Assistance. District Membership for FY10

Amount: \$250.00

(8) 119752

Vendor: Penny, Olmann, & Neiman, Inc.

Fund: 001.2932.446.1620.000000.500.00.000 (Qty: 1) (Amt: \$7,600.00)

(Public Information Office)

Description: Radio Broadcasting for Select-A-School Promotion on February 6, 2010.

Amount: \$7,600.00

(9) 119700

Vendor: Pitney Bowes

Fund: 001.2600.443.6042.000000.578.00.000 (Qty: 1) (Amt: \$20,000.00)

(Logistical Support Services)

Description: Postage for Dayton Public Schools. Continuation of mail service for the district.

PB Reserve Account Tax ID#84-1386389

Regular Mail: PBP#11007556

Amount: \$20,000.00

Honorable Members of the Board of Education  
Dayton City School District

**ITEM VI**

I recommend that the **SEPARATIONS OF EMPLOYMENT** of the following persons be accepted for both regular and supplemental duties.

**TEMPORARY**

006.3120.142.6902.000000.000.00.904

Sims, Mildred

Assignment Ended

Eff. 12/14/2009

**ITEM VII**

I recommend that the following **LEAVE OF ABSENCE ACTIONS** for Members of the staff shown below be approved for the reasons stated.

**NUTRITION SERVICES**

006.3120.141.6902.000000.000.00.904

Burkes, David

Medical

Eff. 11/27/2009-12/23/2009

**ITEM VIII**

I recommend that the following **APPOINTMENTS AND CHANGES for NON-TEACHING PERSONNEL** be approved at the rates indicated and for the periods shown, in accordance with the salary schedule for the period stated.

**NUTRITION SERVICES**

**Rehire**

**NUTRITION SERVICES**

Substitute Food Service Helper at the rate of \$7.30 hourly, NTE 80 hours,

Eff. 11/30/2009, 006.3120.142.6902.000000.000.00.904

Jackson, Yvonne

**TEMPORARY**

**New Hire**

**NUTRITION SERVICES**

Substitute Food Service Preparer at the rate of \$7.30 hourly, NTE 80 hours,

Eff. 12/14/2009, 006.3120.142.6902.000000.000.00.904

Grant, Travis

Herring, Charmaine

**Rehire**

**NUTRITION SERVICES**

Substitute Food Service Helper at the rate of \$7.30 hourly, NTE 80 hours,

Eff. 11/30/2009, 006.3120.142.6902.000000.000.00.904

Darby, Tonya

Osborne, Catina

Siler, Marc

**ITEM IX**

I recommend approval of the **Grant Applications** listed.

ODE Mathematics and Science Partnerships Program "Taking Flight-Improving STEM education through regional relevance" from Ohio Department of Education Office of Curriculum and Instruction in the amount of \$250,000

Pending funding this grant partnership will target professional development with Ruskin PK-8 science teachers across the school calendar and form a basis for systemic change. The partnership between the target school, STEM Faculty Leads (Central State University, University of Dayton and Wright State University). and the Dayton Regional Education Service Center will provide a minimum of 120 hours of in-classroom observation/coaching, in-service, peer/mentoring and regional hands-on experiences. This PD model will engage teachers as a learning community and support them with resources and ongoing mentoring. The ultimate outcome sought is to increase test scores (OAT) by 20% from the 2009 school year baseline.

GeoScience Education from National Science Foundation in the amount of \$100,000.00

Through this grant we hope to increase DPS teacher content knowledge in GeoScience through professional development and positively impact student achievement on the OAA and OGT. DPS through the Challenger Center would partner with the University of Dayton, Central State University and Wrights State University to provide rigorous professional development activities for district staff with on-going monitoring of implementation. Lessons learned during the grant process could provide on going direction for instructional and professional development practices in the content area of GeoScience for the district. In addition, the grant purpose is to "advance public Earth system science literacy, particularly through strengthening GeoScience education in grades K-13 and informal education settings."

## ITEM X

I recommend that the following **CONTRACTS FOR CONSULTANT SERVICES** be approved in the amounts shown for the reasons stated.

Braukman, David, 1007 Carpenters Trace, Villa Hills, KY 41017

NTE: \$500.00

To present Helping Parents Understand Students Learning Styles to Make Homework Meaningful. A one hour presentation for the DPS TV station Parent Involvement segment. No cost to the general fund.

**Purchase Order: 11152813**

Eff.: 02/04/2010-12/04/2009

Code: 572.2190.412.9760.000000.000.00.000 (Qty: 1) (Amt: \$500.00)

Developmental Math Group, PO Box 735, Hilliard, OH 43026

NTE: \$5,000.00

Extended Day Professional Development training for district primary math teachers.

**Purchase Order: 11152798**

Eff.: 01/19/2010-01/19/2010

Code: 572.2213.412.9320.000000.000.00.000 (Qty: 1) (Amt: \$5,000.00)

Rwabutaza, Allan, 1350 Sanzon Dr, Fairborn, OH 45324

NTE: \$3,700.00

To develop a web design for Positive School Climate Discipline module for Dayton Public Schools.

**Purchase Order: 11152934**

Eff.: 12/08/2009-12/30/2009

Code: 019.2190.410.9090.000000.000.00.000 (Qty: 1) (Amt: \$3,700.00)

Springer School and Center, 2121 Madison Rd, Cincinnati, OH 45208

NTE: \$600.00

To increase an existing consultant contract in order to cover two Saturday classes for Extended Day Training. No cost to the General Fund. Not to exceed \$600.00

**Purchase Order: 11153214**

Eff.: 01/09/2010-02/21/2010

Code: 572.2213.412.9320.000000.000.00.000 (Qty: 1) (Amt: \$600.00)

Study Island, 3400 Carlisle St Ste 345, Dallas, TX 75204

NTE: \$330.00

To provide one session to Rosa Parks staff on how to identify reading and math levels using Study Island assessments. To demonstrate how to differentiate instruction using Study Island reports and how to navigate the Study Island program to focus skills.

**Purchase Order: 11152959**

Eff.: 01/15/2010-01/29/2010

Code: 572.2213.412.9760.000000.000.00.000 (Qty: 1) (Amt: \$330.00)

Teacher Created Materials Inc., 6421 Industry Way, Westminster, CA 92683

NTE: \$3,500.00

To provide one-day training for Dayton Public Schools extended day teachers in the use of extended day materials.

**Purchase Order: 11152856**

Eff.: 01/14/2010-01/30/2010

Code: 572.2213.412.9320.000000.000.00.000 (Qty: 1) (Amt: \$3,500.00)

Teaching Our Youth, LLC, 8431 Jack Pine Ct, Ypsilanti, MI 48197

NTE: \$1,500.00

To provide in-service to the Orville Wright @ Grant teachers on how to develop strategies for classroom management and effective instruction which positively impacts student reading and math academic success.

**Purchase Order: 11152940**

Eff.: 01/15/2010-02/26/2010

Code: 572.2213.412.9760.000000.000.00.000 (Qty: 1) (Amt: \$1,500.00)

Voyager Expanded Learning, 1800 Valley View Ln. Ste 400, Dallas, TX 75234

NTE: \$4,500.00

To provide 3 sessions of professional development to Dayton Public School's Extended Day teachers.

**Purchase Order: 11152938**

Eff.: 01/09/2010-01/29/2010

Code: 572.2213.412.9320.000000.000.00.000 (Qty: 1) (Amt: \$4,500.00)

## **ITEM XI**

I recommend that the Board of Education enter into the following **CONTRACTS AND AGREEMENTS**, and further, that the officers of the Board be authorized to sign same.

Samaritan Behavioral Health, Inc. - Collaborating to improve the mental health of selected children attending selected DPS sites. Effective 01/05/2010-06/30/2010.

## **ITEM XII**

I recommend that the Board authorize the **Non-General Funds PURCHASE ORDERS** as submitted by the Treasurer.

**DAYTON BOARD OF EDUCATION  
OFFICE OF THE TREASURER  
January 05, 2010**

**NON-GENERAL FUNDS**

TO: Superintendent of Schools  
FROM: Treasurer  
SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

**CONTRACT/AGREEMENT APPROVED ON 09/15/2009 BOARD AGENDA**

(1) 11152152

Vendor: ADAMHS Board of Montgomery County

Fund: 516.1229.411.9660.000000.000.00.000 (Qty: 1) (Amt: \$604,668.00)

(Special Education)

Description: Provide behavioral health intervention and treatment services for DPS students attending Gardendale Academy and Longfellow schools through South Community, Effective 7/01/09 through 6/30/10.

Amount: \$604,668.00

(2) 11152799

Vendor: Cincinnati Bell

Fund: 019.2212.416.9090.000000.000.00.000 (Qty: 1) (Amt: \$35,200.00)

(Psychological Services)

Description: Second phase to develop an online discipline system in adherence to ODE specifications.

Amount: \$35,200.00

(3) 11153161

Vendor: Fifth Third Bank

Fund: 572.2213.439.9760.000000.000.00.000 (Qty: 1) (Amt: \$25,357.93)

(Purchasing Services)

Description: Payment to be made for Fifth Third travel P-Card.

Amount: \$25,357.93

(4) 11153216

Vendor: Montgomery County Educational Service Center

Fund: 516.1229.411.9660.000000.000.00.000 (Qty: 1) (Amt: \$80,000.00)

(Special Education)

Description: To cover costs for additional educational assistants for the 09/10 SY.

Amount: \$80,000.00

(5) 119707

Vendor: P & R Communications Service

Fund: 003.2760.640.1950.000000.500.00.000 (Qty: 1) (Amt: \$422,533.30)

Description: Purchase control stations (5) and two-way radios (570) to replace older technology due to FCC mandates effective 2011 for Safety & Security, Grounds & Maintenance, Logistical Support Services, Transportation (buses & office staff) and School Buildings. State Term Contract #573077-0

Amount: \$422,533.30

(6) 11152810

Vendor: Teamwork Solutions, Inc.

Fund: 019.2212.416.9090.000000.000.00.000 (Qty: 1) (Amt: \$5,900.00)

Description: Phase III - Merging of Discipline Data to the AS/400 System with revisions that were not completed until recently.

Amount: \$5,900.00

CONTRACT/AGREEMENT APPROVED ON 11/17/2009 BOARD AGENDA

(7) 11152927

Vendor: Techwizards, LLC

Fund: 401.3260.423.9220.000000.000.00.000 (Qty: 1) (Amt: \$31,104.00)

Description: To maintain the existing technology in the nonpublic building that was purchased with Auxiliary Services funds.

Amount: \$31,104.00

CONTRACT/AGREEMENT APPROVED ON 11/04/2009 BOARD AGENDA

(8) 11152926

Vendor: Telenet Solutions, Inc.

Fund: 401.3260.423.9260.000000.000.00.000 (Qty: 1) (Amt: \$24,000.00)

Description: To keep the Auxiliary Services student computers supported and maintained.

Amount: \$24,000.00

(9) 11153221

Vendor: Treasurer, State Of Ohio

Fund: 533.2213.410.9538.000000.135.00.000 (Qty: 1) (Amt: \$18,000.00)

(Media Technology)

Description: State sponsored professional development required as part of the usage of the grant.

Amount: \$18,000.00

(10) 11153065

Vendor: Vartek Corp.

Fund: 401.3260.423.9210.000000.000.00.000 (Qty: 1) (Amt: \$86,100.00)

(Auxiliary Services)

Description: To provide on-going maintenance for the student computer / workstations and file servers.

Amount: \$86,100.00

Honorable Members of the Board of Education  
Dayton City School District

**ITEM XIII**

I recommend that the Board of Education enter into the following **CONTRACTS AND AGREEMENTS**, and further, that the officers of the Board be authorized to sign same.

Elements IV Interiors - Fixtures, Furniture and Equipment for Segment III Schools. Effective 12/15/09-12/14/10.

**ITEM XIV**

I recommend approval of the following resolution to purchase property at 324 North Broadway Street.

Rationale

The Board of Education has determined that the new elementary school to be built on the current Edison Elementary site, located at 228 North Broadway, should be located on a more suitable site, which can more effectively address the needs of the new building, required parking area, and the needed recreational areas. To acquire the necessary land, a proposal has been made to purchase approximately 0.1273 acres together with any and all improvements, located at 324 North Broad Street in Dayton, Ohio. Since the acquisition of this property is necessary for proceeding with the Master Facilities Plan; it is recommended that the Board approve the purchase contract to acquire this property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Dayton City School District hereby approves the Real Estate Purchase Contract between I.S.U.S. Inc. (Seller) and the Board of Education of the Dayton City School District (Buyer) dated December 12, 2008 for the purchase of real property consisting of 0.1273 acres, more or less, together with any and all improvements located thereon, located at 324 North Broadway Street, in Dayton, Ohio, 45407 and known as Parcel No. R72-084-01-0001 for the amount of \$2,400.00 plus closing costs;

BE IT FURTHER RESOLVED that the President and Treasurer of the Board of Education are authorized to execute said purchase agreement; and,



BE IT FURTHER RESOLVED that the President, Treasurer and the Superintendent and/or his designee are authorized to execute any and all documents required to complete the transfer of the aforementioned real property.

## **ITEM XV**

I recommend approval of the 1st Amendment to Amend Project Agreement for Segment #3 acknowledging the obligation to contribute the District's proportional share.

### Rationale

The Dayton Board of Education ("The Board") is undertaking a Classroom Facilities Assistance Program Project in cooperation with the Ohio School Facilities ("OSFC") through the OSFC's accelerated Urban Program, which will result in the construction of new school facilities and renovations and additions to existing facilities within the school district, as described in a Master Plan accepted by the Board.

WHEREAS, the Board of Education of the Dayton City School District, County Montgomery, Ohio ("Board of Education") has entered into an agreement ("Project Agreement") with the Ohio School Facilities Commission ("Commission"), dated August 31, 2006 pursuant to Sections 3318.01 to 3318.20, ORC, for the construction of the project therein referred to and consisting of the classroom facilities listed and described in the Commission's Certificate of Conditional Approval.

WHEREAS, the Board of Education has an Agreement from the Commission, dated August 31, 2006.

WHEREAS, pursuant to a Commission Resolution 00-07, effective March 30, 2000 and Section 3318.083, ORC, the Executive Director will recommend and seek the approval of the Commission and Controlling Board to contribute the state's proportional share of an actual Project cost overrun upon determining, at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest earnings on project funds should or will become depleted before project completion, and all project costs are not satisfied.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education to the Dayton City School District, Montgomery County, State of Ohio.

SECTION 1. That this Board of Education hereby accepts that OSFC will seek Commission approval for this Amendment to the Master Facilities Plan in January, 2010.

The recommended change to the approved Master Plan is as follows:

The Project Budget for Segment #3 has been INCREASED for Market Condition Modifications, Enrollment Increase, Scope Modifications, LEED Modifications, Abate/Demolish Modifications and Swing Space Modifications by \$21,017,249, the budget for Segment #3, is \$186,419, 816.

Estimated Date of Recommendation for Approval by Commission and Controlling Board:  
January, 2010

SECTION 2. That this Board of Education hereby acknowledges its intention to contribute the Board of Education's original proportional share of an actual Project cost overrun pursuant to Section 3318.083, ORC, if it is determined at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest earnings on Project funds should or will become depleted before Project completion, and all Project costs are not satisfied.

SECTION 3. That this Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education; and that all deliberations of this Board of Education and of its committees, if any which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

SECTION 4. This resolution shall be in full force and effect from and immediately after its adoption.

## **ITEM XVI**

I recommend approval of the 2nd Notice of Intent to Amend Project Agreement for Segment #3 acknowledging the obligation to contribute the District's proportional share.

### Rationale

The Dayton Board of Education ("The Board") is undertaking a Classroom Facilities Assistance Program Project in cooperation with the Ohio School Facilities ("OSFC") through the OSFC's Accelerated Urban Program, which will result in the construction of new school facilities and renovations and additions to existing facilities within the school district, as described in a Master Plan accepted by the Board.

WHEREAS, the Board of Education of the Dayton City School District, County of Montgomery, Ohio ("Board of Education") has entered into an agreement ("Project Agreement") with the Ohio School Facilities Commission ("Commission"), dated August 31, 2006 pursuant to Sections 3318.01 to 3318.20, ORC, for the construction of the project therein referred to and consisting of the classroom facilities listed and described in the Commission's Certificate of Conditional Approval.

WHEREAS, the Board of Education had received a Notice of Intent to Amend Project Agreement from the Commission, dated December 15, 2009, a copy of which is attached hereto; and

WHEREAS, pursuant to a Commission Resolution 00-07, effective March 30, 2000 and Section 3318.083, ORC, the Executive Director will recommend and seek the approval of the Commission and Controlling Board to contribute the state's proportional share of an actual Project cost overrun upon determining, at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest earnings on project funds should or will become depleted before project completion, and all project costs are not satisfied

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education to the Dayton City School District, Montgomery County, State of Ohio.

SECTION 1. That this Board of Education hereby accepts the Commission Notice of Intent to Amend Project Agreement, dated December 15, 2009 which is as follows:

The Project Budget for Segment #3 has been DECREASED for Market Condition Adjustment, Scope Adjustments and LEED Allowance Modification by (\$8,512,285), the budget for Segment #3 is \$186,820,600.

Estimated Date of Recommendation for Approval by Commission and Controlling Board: January 2010.

SECTION 2. That this Board of Education hereby acknowledges its intention to contribute the Board of Education's original proportional share of an actual Project cost overrun pursuant to Section 3318.083, ORC, if it is determined at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest earnings on Project funds should or will become depleted before Project completion, and all Project costs are not satisfied.

SECTION 3. That the Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education; and that all deliberations of this Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

SECTION 4. This resolution shall be in full force and effect from and immediately after its adoption.

## **ITEM XVII**

I recommend approval of the 3rd Amendment to Amend Project Agreement for Segment #2 acknowledging the obligation to contribute the District's proportional share.

### **Rationale**

The Dayton Board of Education ("The Board") is undertaking a Classroom Facilities Assistance Program Project in cooperation with the Ohio School Facilities ("OSFC") through the OSFC's Accelerated Urban Program, which will result in the construction of new school facilities and renovations and additions to existing facilities within the school district, as described in a Master Plan accepted by the Board.

WHEREAS, the Board of Education for the Dayton City School District, County of Montgomery, Ohio ("Board of Education") had entered into an agreement ("Project Agreement") with the Ohio School Facilities Commission ("Commission"), dated February 7, 2006 pursuant to Sections 3318.01 to 3318.20, ORC, for the construction of the project therein referred to and consisting of the classroom facilities listed and described in the Commission's Certificate of Conditional Approval.

WHEREAS, the Board of Education had an Agreement from the Commission, dated February 17, 2006, and amended January 16, 2007 and April 2, 2009.

WHEREAS, pursuant to a Commission Resolution 00-07, effective March 30, 2000 and Section 3318.083 ORC, the Executive Director will recommend and seek the approval of the Commission and Controlling Board to contribute the state's proportional share of an actual Project cost overrun upon determining, at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest earnings on project funds should or will become depleted before project completion, and all project costs are not satisfied.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education to the Dayton City School District, Montgomery County, State of Ohio

SECTION 1. That this Board of Education hereby accepts that OSFC will seek Commission approval for this Amendment to the Master Facilities Plan in January, 2010.

The recommended change to the approved Master Plan is as follows:

The Project Budget for Segment #2 has been INCREASED for Market Condition Adjustments by \$3,360,447, the budget for Segment #2 is \$148,839,152.

Estimated Date of Recommendation for Approval by Commission and Controlling Board:  
January 2010

SECTION 2. That this Board of Education hereby acknowledges its intention to contribute the Board of Education's original proportional share of an actual Project cost overrun pursuant to Section 3318.083, ORC, if it is determined at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest earnings on Project funds should or will become depleted before Project completion, and all Project costs are not satisfied.

SECTION 3. That this Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education; and that all deliberations of this Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

SECTION 4. This resolution shall be in full force and effect from and immediately after its adoption.

## **ITEM XVIII**

I recommend approval of the 4th Notice of Intent to Amend Project Agreement for Segment #2 acknowledging the obligation to contribute the District's proportional share.

### Rationale

The Dayton Board of Education ("The Board") is undertaking a Classroom Facilities Assistance Program Project in cooperation with the Ohio School Facilities ("OSFC") through the OSFC's Accelerated Urban Program, which will result in the construction of new school facilities and renovations and additions to existing facilities within the school district, as described in a Master Plan accepted by the Board.

WHEREAS, the Board of Education of the Dayton City School District, County of Montgomery, Ohio ("Board of Education") had entered into an agreement ("Project Agreement") with the Ohio School Facilities Commission ("Commission"), dated February 17, 2006 pursuant to Sections 3318.01 to 3318.20, ORC, for the construction of the project therein referred to and consisting of the classroom facilities listed and described in the Commission's Certificate of Conditional Approval.

WHEREAS, the Board of Education has received a Notice of Intent to Amend Project Agreement from the Commission, dated December 15, 2009, a copy of which is attached hereto; and

WHEREAS, pursuant to a Commission Resolution 00-07, effective March 30, 2000 and Section 3318.083, ORC, the Executive Director will recommend and seek the approval of the Commission and Controlling Board to contribute the state's proportional share of an actual Project cost overrun upon determining, at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest

earnings on project funds should or will become depleted before project completion, and all project costs are not satisfied.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education to the Dayton City School District, Montgomery County, State of Ohio

SECTION 1. That the Board of Education hereby accepts the Commission Notice of Intent to Amend Project Agreement, dated December 15, 2009 which is as follows:

The recommended change to the approved Master Plan is as follows:

The Project Budget for Segment #2 has been INCREASED for Market Condition Adjustment by \$3,360,447, the budget for Segment #2 is \$148,839,152.

Estimated date of Recommendation for Approval by Commission and Controlling Board:  
January 2010

SECTION 2. That this Board of Education hereby acknowledges its intention to contribute the Board of Education's original proportional share of an actual Project cost overrun pursuant to Section 3318.083, ORC, if it is determined at such time in the future, that the total Project budget is or will be insufficient to enter into contracts, or if the contingency reserve and all interest earnings on Project funds should or will become depleted before Project completion, and all Project costs are not satisfied.

SECTION 3. That this Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of the Board of Education; and that all deliberations of the Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

SECTION 4. This resolution shall be in full force and effect from and immediately after its adoption.

## **ITEM XIX**

I recommend that the Board authorize the **OSFC PURCHASE ORDERS** as submitted by the Treasurer.

Respectfully submitted,

Kurt T. Stanic, Ed.D.  
**Superintendent**

**DAYTON BOARD OF EDUCATION  
OFFICE OF THE TREASURER  
January 05, 2010**

**OSFC FUNDS**

TO: Superintendent of Schools  
FROM: Treasurer  
SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

(1) 119735

Vendor: Bricker & Eckler LLP

Fund: 004.5599.418.7424.000000.000.00.090 LFI Funding (Qty: 1) (Amt: \$10,000.00)

Fund: 004.5599.418.7424.000000.000.82.090 LFI Funding (Qty: 1) (Amt: \$40,000.00)

Fund: 004.5599.418.7424.000000.271.00.090 LFI Funding (Qty: 1) (Amt: \$100,000.00)

(Chief Construction Office)

Description: Legal services for Stivers School for the Arts, Segment I and II issues.

Amount: \$150,000.00

(2) 119749

Vendor: Cincinnati Bell

Fund: 004.2930.644.7450.000000.367.00.018 (Qty: 1) (Amt: \$119,104.16)

(Chief Construction Office)

Description: Network electronics for Meadowdale High School.

Amount: \$119,104.16

(3) 119785

Vendor: Cincinnati Bell

Fund: 004.2930.644.7527.000000.142.00.018 (Qty: 1) (Amt: \$98,931.76)

(Chief Construction Office)

Description: Network electronics for Residence Park PreK-8 School.

Amount: \$98,931.76

(4) 117213001

Vendor: Dayton Demolition, LLC

Fund: 010.5500.620.7493.000000.150.93.010 State Share (Qty: 1) (Amt: \$41,241.39)

Fund: 010.5500.620.7494.000000.150.93.010 Local Share (Qty: 1) (Amt: \$26,367.45)

(Chief Construction Office)

Description: Change Order #1-Installation of 6520 cubic yards of upgraded fill material to obtain 95% compaction.

Amount: \$67,608.84

(5) 117213003

Vendor: Dayton Demolition, LLC

Fund: 010.5500.620.7493.000000.150.93.010 State Share (Qty: 1) (Amt: \$48,823.70)

Fund: 010.5500.620.7494.000000.150.93.010 Local Share (Qty: 1) (Amt: \$31,215.15)

(Chief Construction Office)

Description: Change Order #3-Removal of uncovered concrete foundations, wall and slab discovered below Webster Elementary School.

Amount: \$80,038.85

**DAYTON PUBLIC SCHOOLS**

**TREASURER'S RECOMMENDATIONS**

**STANLEY E. LUCAS, TREASURER**

**TO THE BOARD OF EDUCATION**

**GENERAL & NON GENERAL FUNDS**

**January 05, 2010**

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**Honorable Members of the Board of Education  
Dayton City School District**

**ITEM XX**

Pursuant to Section 3313.36 of the Ohio Revised Code, I recommend that the Board of Education of the Dayton City School District accept the following **donations** and that we convey our appreciation to the donor for their gracious and timely gifts.

**A. DAYTON PUBLIC SCHOOLS**

Various Donations

Otis Drake

Dunbar High School

Student Incentives

\$25.00

The College Board AP

Stivers School for the Arts

School Activities & Supplies

\$250.00

**ITEM XXI**

I recommend that the Dayton Board of Education of the Dayton City School District amend the original agreement to the extension by additional 10 years of tax abatement with the Forest Park Partners Limited Partnership & Forest Park Partners, LLC.

Rationale

WHEREAS, the Forest Park Partners Limited Partnership and Forest Park Partners, LLC and the Board of Education of Dayton City School District are parties to a School Compensation Agreement dated January 14, 2003 (the "Original School Agreement"); and,

WHEREAS, the Forest Park Partners Limited Partnership and Forest Park Partners, LLC and the Board of Education of Dayton City School District desire to amend the Original School Agreement to reflect the consent by the School District to the extension by an additional 10



years of the tax abatement the Company received which was the subject of the Original School Agreement;

NOW THEREFORE BE IT RESOLVED, that the Board hereby approves the Forest Park Partners Limited Partnership and Forest Park Partners, LLC School District Compensation Agreement dated 14th day of January, 2003; and

BE IT FURTHER RESOLVED, that the Board also approves the First Amendment to School Compensation Agreement reflecting the extension by an additional 10 years of the tax abatement; and

BE IT FURTHER RESOLVED, the Board waives the forty-five business day notice requirement; and

BE IT FURTHER RESOLVED that the President and Treasurer of the Board are authorized to sign any and all documents relating to this Original School Agreement, First Amendment and Notice Requirement waiver.

**ITEM XXII**

Pursuant to Section 5705.41 of the Ohio Revised Code, I recommend that the Board of Education of the Dayton City School District accept the following “**then and now certificate.**” It is hereby certified that both at the time of the making of this contract or order and at the date of the execution of this certificate the amount required to pay this contract or order has been appropriated for the purpose of this contract or order and is in the treasury or in the process of collection to the credit of the fund, free from any previous encumbrance.

I recommend that the following invoices \$3,000.00 and over be authorized for payment by the Dayton Board of Education.

INVOICE	FUND	VENDOR	DESCRIPTION	AMOUNT
1796247614	013.4500.560.5546. 000000.551.00.000	Coca-Cola	Coke products for resale at Welcome Stadium concessions	\$3,439.25
Misc10698	516.1229.411.9660. 000000.000.00.000	Montgomery County ESC	For excess costs of 1:1 paraprofessionals	\$9,225.66
5683-1	010.5500.620.7523. 000000.153.92.001 010.5500.620.7524. 000000.153.92.001	MVM	Underground storage tank removal at McNary	\$5712.53 \$8943.97

Respectfully submitted,

Stanley E. Lucas  
Treasurer