

New Lexington, Ohio

August 12, 2019

The New Lexington School District Board of Education met in special meeting at 4:00 p.m. in the New Lexington Middle School Media Center, 2549 Panther Dr., New Lexington, Ohio.

Members present: John McGaughey, Steve Burton, Mike Davisson, Bill Nutt, and Jason Givens.

Pursuant to Section 121.22 {F}, Revised Code, the local news media along with the members of the Board of Education were informed of the meeting.

It was moved by Davisson and seconded by Givens to appoint Board member Steve Burton to act as Treasurer Pro Tempore for special Board meeting August 12, 2019, and to approve Board member Steve Burton to serve in this capacity for the authorized and approved absence of Treasurer Christie Barnette in accordance with ORC Section 3313.23.

**THE VOTE: Davisson, yes; Givens, yes; Nutt, yes; Burton, yes; McGaughey, yes; President McGaughey declared the motion carried.**

A. It was moved by Nutt and seconded by Davisson to adjourn to Executive Session at 4:02 p.m. under the provisions of O.R.C. 121.22(G)(1) to discuss discipline of personnel.

**THE VOTE: Nutt, yes; Davisson, yes; Givens, yes; Burton, yes; McGaughey, yes; President McGaughey declared the motion carried.**

Board President declared the meeting in open session at 4:33 p.m.

It was moved by Nutt and seconded by Davisson to approve Resolution #19-11 to place licensed teaching employee Nate Wycinski on suspension without pay effective immediately pending termination, and to initiate contract termination proceedings regarding licensed teaching employee Nate Wycinski pursuant to Ohio Revised Code Section 3319.16 on the grounds as stated in Resolution #19-11:

WHEREAS, Ohio Revised Code Section 3319.16 authorizes the board of education of a school district to initiate contract termination proceedings against any teacher employed by the school district for good and just cause; and

WHEREAS, the New Lexington School District Board of Education (“Board”) employs Nate Wycinski (“Wycinski”) under a limited teaching contract pursuant to Ohio Revised Code Section 3319.08; and

WHEREAS, the administration of the New Lexington School District (“District”) has completed a confidential internal investigation of reports that Wycinski engaged in inappropriate conduct including inappropriate and harassing contact with minor students of the New Lexington School District; and

WHEREAS, as a result of said confidential internal investigation and the findings reached through that investigation, the Superintendent has determined that good and just cause exists for the Board to terminate the teaching contract of Wycinski under Ohio Revised Code Section 3319.16; and

WHEREAS, on August 9, 2019, the Treasurer issued formal written notice to Wycinski regarding the Superintendent's intent to recommend to the Board that the Board initiate termination proceedings and suspension without pay pending same, to Wycinski; and

WHEREAS, in the August 9, 2019, notice, the Treasurer also provided notice to Wycinski of the opportunity for Wycinski to have a due process hearing before both the Superintendent and the Board, separately, regarding the above-stated matters; and

WHEREAS; such written notice issued by the Treasurer to Wycinski on August 9, 2019, contained the grounds upon which the Superintendent intends to recommend that the Board initiate termination proceedings and to suspend Wycinski without pay pending same, to wit:

-As a result of an internal investigation regarding reports of you engaging in inappropriate and harassing conduct involving minor female students of the New Lexington School District, you were found to have engaged in the following conduct which constitutes violations of the Board's Anti-Harassment Policy, 5517:

- Sexual propositions, invitations, solicitations, innuendoes, comments and flirtations with minor female students of the New Lexington School District;
- Inappropriate physical and/or sexual contact with minor female students of the New Lexington School District;
- Inappropriate boundary invasions of minor female students of the New Lexington School District;
- Inappropriate written/electronic communications with minor female students of the New Lexington School District, using personal cell phones of such students, to make contact with such students beyond the school day and for non-school purpose;
- Taking undue interest in minor female students of the New Lexington School District;

-The above-described conduct also constitutes violations of Board Policies 3210, Staff Ethics; and 3213, Student Supervision and Welfare.

-The above-described conduct constitutes good and just cause for termination of your employment contract with the District; and

WHEREAS, the Superintendent has presented the Board with the evidence of the grounds for termination as set forth above, and with a recommendation that the Board initiate termination of Wycinski's employment contract with the District and that the Board approve the recommendation of the Superintendent to suspend Wycinski without pay effective immediately pending termination proceedings; and

WHEREAS, the Board has considered such evidence, and has determined that the evidence presented represents a serious matter that warrants the Board's consideration of the Superintendent's recommendation to terminate the employment contract of Wycinski

with the District and to suspend Wycinski without pay effective immediately pending termination proceedings;

NOW, THEREFORE BE IT RESOLVED, that the New Lexington School District Board of Education hereby acts pursuant to Ohio Revised Code Section 3319.16 to initiate termination proceedings effective immediately with respect to the limited teaching contract of employee Nate Wycinski for good and just cause on the grounds set forth above herein as well as in the written notice of same issued to Wycinski on August 9, 2019;

BE IT FURTHER RESOLVED that the New Lexington School District Board of Education further acts pursuant to Ohio Revised Code Section 3319.16 to suspend Wycinski without pay pending such termination proceedings, with such action effective immediately;

BE IT FURTHER RESOLVED that the New Lexington School District Board of Education hereby directs its Treasurer to issue written notice of same to Wycinski forthwith via certified mail, return receipt requested, as well as regular U.S. mail, along with a copy of said resolution, and to take any and all actions necessary and/or otherwise required under Ohio Revised Code Section 3319.16 to effectuate this action.

**THE VOTE: Nutt, yes; Davisson, yes; Givens, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.**

It was moved by Davisson and seconded by Givens to adjourn the meeting.

**THE VOTE: Davisson, yes; Givens, yes; Nutt, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.**

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**President**

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**Treasurer**