

Bixby Board of Education Regular Meeting  
Thursday, October 8, 2020 Bixby Board of Education Regular Meeting  
Administrative Center 109 N. Armstrong Bixby, OK 74008  
109 N Armstrong St  
Bixby, OK 74008

Attendance Taken at 6:00 PM.

Justin Cheatham: Present

Matt Dotson: Present

Tristy Fryer: Present

Julie Prox: Present

Amanda Stephens: Present

Present: 5.

**1. Call Meeting to Order/Roll Call**

**2. Reports to The Board**

**1. Special Recognition**

1. Spartan Spirit Award - Cheryl Wilkinson, Justin Brady, Cody Coonce, and Laura DeWoody

2. Superintendent's Report - Rob Miller

3. 2.3 Operations Update - Gabe Hayes

4. Budget and Finance Update - Mike Anthony

**3. Comments from the Public**

1. Speakers must identify themselves.

2. Each Speaker is given a maximum of three (3) minutes.

3. In order to avoid repetitious information, a single spokesperson will be selected by groups desiring to address the board.

4. Total time allocated to this item is thirty (30) minutes.

5. Speakers may offer objective comments of school operations and programs that concern them. The Board shall not hear personal complaints unless the proper administrative procedures concerning complaints have been followed.

6. Speakers may not use profanity at a School Board meeting. Patrons conducting themselves in this manner may be asked to leave the meeting.

7. The president reserves the right to interrupt this section and move to the next item.

8. In accordance with provisions of the Oklahoma Open Meeting Act, discussion or action by the Board on an item presented under the "Comments from the Public" agenda topic is not permitted. Board members and administrative staff will not respond to questions from the public. The Board appreciates and will seriously consider all comments made during this time. Proper questions from members of the public may be referred to the Superintendent for later report to the Board.
4. **General Consent Agenda - Discussion, consideration and vote to approve or not to approve Items #4.1-4.15. (These items may be approved by one Board motion, unless any board member desires to have a separate vote on any or all of these items.)**

Approval of General Consent Agenda Items #4.1-4.15 as presented Passed with a motion by Amanda Stephens and a second by Tristy Fryer.

Justin  
Cheatham: Yea

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie Prox: Yea

Amanda  
Stephens: Yea

Yea: 5, Nay: 0

1. Minutes of September 10, 2020 Regularly Scheduled Board Meeting
2. Activity Fund Summary of Accounts and Transfer Requests
3. Encumbrances and Change Orders for FY 2021 General Fund, Building Fund, Child Nutrition Fund, Sinking Fund, Bond-Lease and Bond Funds 31-39 per attached encumbrance registers
4. Approval of the request to participate in the 2020-2021 Buy Bixby Program with the Bixby Metro Chamber

5. Approval of an agreement with Oklahoma Secondary School Activities Association for conducting a Pilot Cooperative Activities Program
6. FMLA - West Intermediate - Certified - 11/12/20 to 12/3/20
7. FMLA - North Elementary - Certified - 12/15/20 to 1/25/21
8. Medical Leave - Child Nutrition - Support - 9/15/20 to 2/11/21
9. FMLA - Transportation - Support - 9/16/20 to 10/7/20
10. Medical Leave - Child Nutrition - Support - 8/31/20 to 2/8/21
11. FMLA - High School - Certified - 9/8/20 to 12/31/20
12. Medical Leave - District - Support - 10/6/20 to 11/9/20
13. Medical Leave - Child Nutrition - Support - 8/26/20 to 1/8/21
14. Employment, Resignation, Retirement - Certified Personnel - per attached
15. Employment, Resignation, Retirement - Support Personnel - per attached

5. **Finance**

1. Discussion, consideration and vote to approve or not to approve an agreement with Mabrey Bank for sponsorship activities with Bixby Public Schools.

Approval of an agreement with Mabrey Bank for sponsorship activities with Bixby Public Schools. Passed with a motion by Julie Prox and a second by Matt Dotson.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amanda  
Stephens: Yea

Yea: 5, Nay: 0

2. Discussion, consideration and vote to approve or not to approve updates to Activity Fundraisers for the 2020-2021 fiscal year.

Approval of the updates to the Activity Fundraisers for the 2020-2021 fiscal year  
Passed with a motion by Amanda Stephens and a second by Julie Prox.

Justin  
Cheatha: Yea

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amanda  
Stephens: Yea

Yea: 5, Nay: 0

3. Discussion, consideration and vote to approve or not to approve an activity fund account for the West Elementary PTO.

Approval of an activity fund account for the West Elementary PTO Passed with a motion by Julie Prox and a second by Amanda Stephens.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

4. Discussion, consideration and vote to approve or not to approve an activity fund account for the West Intermediate PTO.

Approval of an activity fund account for the West Intermediate PTO Passed with a motion by Amanda Stephens and a second by Tristy Fryer.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

**6. Teaching and Learning**

approval of a contract with Empower Academy for educational services Passed with a motion by Julie Prox and a second by Tristy Fryer.

Justin  
Cheatham: Yea

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie Prox: Yea

Amanda  
Stephens: Yea

Yea: 5, Nay: 0

1. Discussion, consideration, and vote to approve or not to approve a contract with Empower Academy for educational services.

**7. School Operations** - No items this month

**8. District Services**

1. Discussion, consideration and vote to approve or not to approve an additional contract with Entrust One for cleaning services for the 2020-2021 fiscal year as presented.

Approval of an additional contract with Entrust One for cleaning services for the 2020-2021 fiscal year as presented Passed with a motion by Tristy Fryer and a second by Amanda Stephens.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

2. Discussion, consideration and vote to approve or not to approve declaring items as surplus to be disposed of according to Oklahoma Statutes.

Approval of declaring items as surplus to be disposed of according to Oklahoma Statutes as presented. Passed with a motion by Amanda Stephens and a second by Justin Cheatham.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

## 9. **Human Resources**

1. Discussion, consideration, and vote to approve or not to approve addenda with ESS for the 2020-21 fiscal year.

Approval of addenda with ESS for the 2020-2021 fiscal year as presented Passed with a motion by Julie Prox and a second by Tristy Fryer.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

2. Discussion, consideration, and vote to approve or not to approve changes to School Board Policy 4104, Teacher Ethics.

Approval of the changes to School Board Policy 4104, Teacher Ethics Passed with a motion by Tristy Fryer and a second by Justin Cheatham.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

## 10. **Miscellaneous**

1. Discussion, consideration, and vote to approve or not to approve a contingency fee agreement with the Frantz Law Group, APLC, to provide legal services in connection with pursuing claims for damages associated with JUUL and Electronic Cigarette (e-cigarette) litigation.

Approval of a contingency fee agreement with the Frantz Law Group, APLC, to provide legal services in connection with pursuing claims for damages associated with JUUL and Electronic Cigarette (e-cigarette) litigation. Passed with a motion by Amanda Stephens and a second by Julie Prox.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

2. Discussion, consideration and vote to approve or not to approve a resolution of the Bixby Board of Education to the Tulsa County Election Board calling for an annual school board election of member of Board of Education office, Number 1, which has a five-year term of office. Primary Election to be held at the regular voting places within Bixby School District on the 9th day of February, 2021, only if three or more candidates file for the position. General Election shall be held on April 6, 2021, under the following circumstances: if only two candidates file for the position scheduled to be on the ballot or for a position on the ballot for an unexpired term or if no candidates in the Board of Education Primary Election receives more than 50% of the votes cast. The polling places shall be open from 7:00 a.m. to 7:00 p.m.

Approval of a resolution of the Bixby Board of Education to the Tulsa County Election Board calling for an annual school board election of member of Board of Education office, Number 1, which has a five-year term of office. Primary Election to be held at the regular voting places within Bixby School District on the 9th day of February, 2021, only if three or more candidates file for the position. General

Election shall be held on April 6, 2021, under the following circumstances: if only two candidates file for the position scheduled to be on the ballot or for a position on the ballot for an unexpired term or if no candidates in the Board of Education Primary Election receives more than 50% of the votes cast. The polling places shall be open from 7:00 a.m. to 7:00 p.m. Passed with a motion by Julie Prox and a second by Amanda Stephens.

Justin  
Cheatha Yea  
m:

Matt  
Dotson: Yea

Tristy  
Fryer: Yea

Julie  
Prox: Yea

Amand  
a  
Stephen Yea  
s:

Yea: 5, Nay: 0

**11. New Business**

**12. Vote to adjourn**

At 7:50 p.m. Passed with a motion by Amanda Stephens and a second by Julie Prox.

Justin  
Cheatham: Yea

Matt  
Dotson: Yea

Tristy Fryer: Yea

Julie Prox: Yea

Amanda Stephens: Yea

Yea: 5, Nay: 0

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President

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Vice President

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Clerk

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Member

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Member

Bixby Board of Education Regular Meeting  
Thursday, September 10, 2020  
Administrative Center  
109 N Armstrong St  
Bixby, OK 74008

Attendance Taken at 6:00 PM.

Justin Cheatham: Absent  
Matt Dotson: Present  
Tristy Fryer: Present  
Julie Prox: Present  
Amanda Stephens: Present  
Present: 4, Absent: 1.

### **1. Call Meeting to Order/Roll Call**

### **2. Reports to the Board**

#### **2.1. Special Recognition**

2.1.1. Community Partner Award - Tulsa Pier Drilling

2.1.2. Spartan Spirit Award - Amy Nielsen

2.2. Superintendent's Report - Rob Miller

### **3. Comments from the Public - None**

3.1. Speakers must identify themselves.

3.2. Each Speaker is given a maximum of three (3) minutes.

3.3. In order to avoid repetitious information, a single spokesperson will be selected by groups desiring to address the board.

3.4. Total time allocated to this item is thirty (30) minutes.

3.5. Speakers may offer objective comments of school operations and programs that concern them. The Board shall not hear personal complaints unless the proper administrative procedures concerning complaints have been followed.

3.6. Speakers may not use profanity at a School Board meeting. Patrons conducting themselves in this manner may be asked to leave the meeting.

3.7. The president reserves the right to interrupt this section and move to the next item.

3.8. In accordance with provisions of the Oklahoma Open Meeting Act, discussion or action by the Board on an item presented under the "Comments from the Public" agenda topic is not permitted. Board members and administrative staff will not respond to questions from the public. The Board appreciates and will seriously consider all comments made during this time. Proper questions from members of the public may be referred to the Superintendent for later report to the Board.

**4. General Consent Agenda - Discussion, consideration and vote to approve or not to approve Items #4.1-4.20. (These items may be approved by one Board motion, unless any board member desires to have a separate vote on any or all of these items.)**

Approval of General Consent Agenda Items #4.1-4.20 as presented Passed with a motion by Julie Prox and a second by Amanda Stephens.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

4.1. Minutes of August 13, 2020 Regularly Scheduled Board Meeting

4.2. Activity Fund Summary of Accounts and Transfer Requests

4.3. Encumbrances and Change Orders for FY 2021 General Fund, Building Fund, Child Nutrition Fund, Sinking Fund, Lease Fund and Bond Funds 31-39 per attached encumbrance registers

4.4. Acknowledgement of Annual Oklahoma State Department of Education Accreditation Letter

4.5. Approval of the renewal of the CRW Consulting E-rate Services, LLC Program for the 2020-2021 fiscal year

4.6. Approval of a Commodity Processing Contract for Child Nutrition with Barlow Education Management Services for the 2020-2021 fiscal year

4.7. Approval of renewing the agreement for the radio system with Talk Radio LLC. for the 2020-2021 fiscal year

4.8. Approval of a Memorandum of Understanding with YMCA of Greater Tulsa for the 2020-2021 fiscal year

4.9. Approval of the renewal of Memorandum of Understanding with A New Leaf, Inc for the 2020-21 fiscal year.

4.10. Approval of a Memorandum of Understanding with Dayspring Counseling Services for the 2020-2021 fiscal year.

4.11. Approval of the Middle School and High School Cross Country team request to participate in a Cross Country High School Competition in Fayetteville, ARK. on 10/3/2020

4.12. FMLA - Support - Middle School - 8/13/2020 to 8/31/2020

4.13. Medical Leave - Support - East Elementary - 8/12/2020 to 8/25/2020

4.14. Medical Leave - Support - West Elementary - 8/10/2020 to 10/5/2020

4.15. FMLA - Certified - Middle School - 9/25/2020 to 11/30/2020

4.16. Medical Leave - Support - Transportation - 8/12/2020 to 10/17/2020

4.17. FMLA - Support - North Intermediate - 9/1/2020 to 10/14/2020

4.18. FMLA - Certified - Central Elementary - 2/22/2021 to 4/05/2021

4.19. Employment, Resignation, Retirement - Certified Personnel - per attached

4.20. Employment, Resignation, Retirement - Support Personnel - per attached

## **5. Finance**

5.1. Discussion, consideration and vote to approve or not to approve the Estimate of Needs prepared by Jenkins & Kemper for the 2020-2021 fiscal year.

Approval of the Estimate of Needs prepared by Jenkins & Kemper for the 2020-2021 fiscal year. Passed with a motion by Julie Prox and a second by Tristy Fryer.

Justin Cheatham: Absent

Matt Dotson: Yea

Tristy Fryer: Yea

Julie Prox: Yea

Amanda Stephens: Yea

Yea: 4, Nay: 0, Absent: 1

5.2. Discussion, consideration and vote to approve or not to approve the Appropriated Funds Budget for the 2020-2021 fiscal year.

Approval of the Appropriated Funds Budget for the 2020-2021 fiscal year as presented. Passed with a motion by Amanda Stephens and a second by Matt Dotson.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

5.3. Discussion, consideration and vote to approve or not to approve the following Activity Fund Accounts for West Elementary: Yearbook and Media Center (changes to Nomenclature).

Approval of the following Activity Fund Accounts for West Elementary: Yearbook and Media Center (changes to Nomenclature). Passed with a motion by Amanda Stephens and a second by Matt Dotson.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

## **6. Teaching and Learning**

6.1. Discussion, consideration and vote to approve or not to approve the Gifted and Talented Advisory Committee for the 2020-2021 fiscal year.

Approval of the Gifted and Talented Advisory Committee for the 2020-2021 fiscal year. Passed with a motion by Tristy Fryer and a second by Amanda Stephens.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

6.2. In compliance with ESSA, Bixby Public Schools provided community stakeholders with an opportunity to provide input regarding the district's intent to continue to administer the ACT. Discussion only. No action required by the Board of Education.

6.3. Discussion, consideration and vote to approve or not to approve the Alternative Education Plan for the 2020-2021 fiscal year.

Approval of the Alternative Education Plan for the 2020-2021 fiscal year. Passed with a motion by Julie Prox and a second by Matt Dotson.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

6.4. Discussion, consideration, and vote to approve or not to approve the adoption of the 1080-hour calendars for the 2020-21 fiscal year.

Approval of the adoption of the 1080-hour calendars for the 2020-21 fiscal year. Passed with a motion by Julie Prox and a second by Amanda Stephens.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

## **7. School Operations**

7.1. Discussion, consideration, and vote to approve or not to approve recommended changes to the Bixby Public Schools Policy Book for the 2020-2021 school year, as proposed. Policies for review include Community Relations policies (5000 - 5114), Business and Support Services policies (6000-6157), and Policy 3129 Internet-Based Instruction.

Approval of the recommended changes to the Bixby Public Schools Policy Book for the 2020-2021 school year, as proposed. Policies for review include Community Relations policies (5000 - 5114), Business and Support Services policies (6000-6157), and Policy 3129 Internet-Based Instruction. Passed with a motion by Julie Prox and a second by Tristy Fryer.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea

Yea: 4, Nay: 0, Absent: 1

7.2. In compliance with SB 1198, Bixby Public Schools developed Emergency Services Plans for athletic events with local community service providers and first responders. Agency representation included BPD, BFD, and BPS. Discussion only. No action required by the Board of Education.

## 8. District Services

8.1. Discussion, consideration and vote to approve or not to approve the Student Transportation Contract with Tulsa Technology Center for the 2020-2021 fiscal year.

Approval of the Student Transportation Contract with Tulsa Technology Center for the 2020-2021 fiscal year. Passed with a motion by Amanda Stephens and a second by Matt Dotson.

Justin Cheatham: Absent

Matt Dotson: Yea

Tristy Fryer: Yea

Julie Prox: Yea

Amanda Stephens: Yea

Yea: 4, Nay: 0, Absent: 1

8.2. Discussion, consideration and vote to approve or not to approve an additional contract with Entrust One for cleaning services for the 2020-2021 fiscal year.

Approval of an additional contract with Entrust One for cleaning services for the 2020-2021 fiscal year. Passed with a motion by Amanda Stephens and a second by Tristy Fryer.

Justin Cheatham: Absent

Matt Dotson: Yea

Tristy Fryer: Yea

Julie Prox: Yea

Amanda Stephens: Yea

Yea: 4, Nay: 0, Absent: 1

8.3. Discussion, consideration and vote to approve or not to approve declaring items as surplus to be disposed of in accordance with the State Laws of Oklahoma.

Approval of declaring items as surplus to be disposed of in accordance with the State Laws of Oklahoma as presented. Passed with a motion by Matt Dotson and a second by Tristy Fryer.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

## 9. Human Resources

9.1. Discussion, consideration, and vote to approve or not to approve the BPS Support Staff Handbook for the 2020-21 fiscal year.

Approval of the BPS Support Staff Handbook for the 2020-21 fiscal year. Passed with a motion by Julie Prox and a second by Tristy Fryer.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

## 10. New Business

### 11. Vote to adjourn

At 7:53 p.m. approval to adjourn. Passed with a motion by Amanda Stephens and a second by Julie Prox.

Justin Cheatham: Absent  
Matt Dotson: Yea  
Tristy Fryer: Yea  
Julie Prox: Yea  
Amanda Stephens: Yea  
Yea: 4, Nay: 0, Absent: 1

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President

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Vice President

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Clerk

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Member

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Member

**CERTIFIED PERSONNEL EMPLOYMENT**

William Ferguson	Special Education	Eff. August 10, 2020 High School
Mark Hart	Advanced Math	Eff. Sept. 1, 2020 High School
Jessica Lawrence	Biology	Eff. August 17, 2020 High School

**TEMPORARY CONTRACT**

**VIRTUAL COURSE TEACHER**

**CERTIFIED PERSONNEL RESIGNATION AGREEMENTS**

Jason Byrd	Advanced Math	Eff. August 27, 2020 High School
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**SUPPORT PERSONNEL**  
**EMPLOYMENT FOR THE 2020-2021 SCHOOL YEAR**  
**SUBJECT TO JOB ASSIGNMENT BY THE SUPERINTENDENT**

Susan Avens	FS Asst Mgr	West Elementary Eff. 8/24/2020
Lori Burgess	Asst Physical Therp	District Eff. 8/25/2020
Ola Clark	Bus Driver	District Wide Eff. 8/13/2020
Pamela Drake	Bus Aide	District Wide Eff. 8/13/2020
Crystal Ingle	Para	Middle School Eff. 9/08/2020
Terika Johnson	PreKAide	North Elementary Eff. 8/13/2020
Amber King	Office Asst	Middle School Eff. 9/10/2020
Desire Pierre Louis	Playground Aide	West Intermediate Eff. 9/8/2020
Alicia McAllister	Bldg Secretary	East Elementary Eff. 8/14/2020
William Noviski	Custodian	North Elementary Eff. 8/18/2020
Francisco Pena	Playground Aide	East Elementary Eff.
Karen Richardson	Bus Driver	District Wide Eff. 8/24/2020
Joe Ryan	Bus Driver	District Wide Eff. 8/24/2020
Krista Burke Sessions	Playground Aide	West Elementary Eff. 8/20/2020
Kenneth Sneyd	Bus Driver	District Wide Eff. 8/24/2020
Kimberly Quillman	EL Para	Middle School Eff. 8/13/2020
Emily Weaver	Playground Aide	West Intermediate Eff. 8/18/2020
Myette Wells	Paraprofessional	North Elementary Eff. 8/21/2020

## **TEMPORARY EMPLOYMENT**

Linda Bischoff	Indian Ed Tutor
Angie Rice	Indian Ed Tutor
Judy Shipman	Indian Ed Tutor
Stacy Stout	Indian Ed Tutor
Anne White	Indian Ed Tutor
Andi Wilson	Indian Ed Tutor

## **VOLUNTEER COACHING**

Caitlyn Fowler	Lead Colorguard Coach
Kenny Giddens	Assistant Wrestling
Megan Howerton	Colorguard Teacher
Kelly Jacobs	Percussion Tech
Luke Wallace	Percussion Tech

## **SUPPORT PERSONNEL** **RESIGNATION**

Brittni Allen	Playground Aide	Eff. August 13, 2020 Central Intermediate
Rachel Craddock	Paraprofessional	Eff. Sept. 3, 2020 North Intermediate
Carrie Hill	Bus Aide	Eff. August 14, 2020 District
Tara Humble	Paraprofessional	Eff. May 22, 2020 East Intermediate
Katherine Ibarra	Paraprofessional	Eff. August 12, 2020 Central Intermediate
Ginger Lloyd	Attendance Secretary	Eff. September 18, 2020 East Intermediate
Lori Lucas	Playground Aide	Eff. August 17, 2020 Central Elementary
Curtis Meyer	Custodian	Eff. August 20, 2020 District
Monica Prince	FS Assistant	Eff. August 31, 2020 Central Elementary
Kelli Samuel	Playground Aide	Eff. August 18, 2020 Central Elementary
Rebecca Snodgrass	FS Manager	Eff August 17, 2020 East Elem/Int
Jacque Stringfellow	Playground Aide	Eff. August 13, 2020 Central Intermediate

## **TERMINATED**

Submitted to the Board of Education  
September 10, 2020

**CERTIFIED PERSONNEL EMPLOYMENT**

**TEMPORARY CONTRACT**

Roy Hunter

Indian Ed Tutor

**VIRTUAL COURSE TEACHER**

**CERTIFIED PERSONNEL RESIGNATION AGREEMENTS**

**SUPPORT PERSONNEL**  
**EMPLOYMENT FOR THE 2020-2021 SCHOOL YEAR**  
**SUBJECT TO JOB ASSIGNMENT BY THE SUPERINTENDENT**

Brittni Allen	Para	Eff. October 2, 2020 Central Intermediate
Ashley Arnold	Custodian	Eff. September 15, 2020 9 <sup>th</sup> Grade Center
Kimberly Dorman	Para	Eff. September 15, 2020 East Intermediate
Rhiley Etheridge	FS Assistant	Eff. September 30, 2020 East Elem/Int
Jerry Gunter	Para	Eff. September 28, 2020 North Intermediate
Karen Gwinn	Bus Driver	Eff. September 15, 2020 District Wide
Victoria Hickman	FS Assistant	Eff. October 6, 2020 Central Elementary
Lacey Johnson	Para	Eff. September 14, 2020 High School
Lauren Johnson	Playground Aide	Eff. September 29, 2020 West Elementary
Siri Oeltjenbruns	Bus Driver	Eff. September 16, 2020 District Wide
Rebecca Rieder	Playground Aide	Eff. October 2, 2020 Central Intermediate
Jim Robertson	Asst. Trans Director	Eff. September 18, 2020 District Wide
Megan Shirel	FS Assistant	Effective October 5, 2020 West Elementary/Intermediate
Emily Woodard	Para	Eff. September 28, 2020 Middle School

**TEMPORARY EMPLOYMENT**

**VOLUNTEER COACHING**

Hunter Dalton  
Tyler Ridener

JH Head Wrestling Coach  
Assistant Boys Soccer

**SUPPORT PERSONNEL**  
**RESIGNATION**

Laami Bataluna	FS Assistant	Eff. October 14, 2020 East Elem/Int
Charlotte Devoe	Paraprofessional	Eff. October 5, 2020 High School
Teresa Fox	Paraprofessional	Eff. September 10, 2020 Middle School
Krista Burke Sessions	Playground Aide	Eff. September 18, 2020 West Elementary
Bobbie Harjo	Paraprofessional	Eff. September 17, 2020 Central Elementary
Sandy Jay	PreK Para	Eff. October 7, 2020 East Elementary
Kimberly Quillman	EL Para	Eff. September 18, 2020 Middle School
Denise Wood	Athletic Secretary	Eff. September 9, 2020 High School
Kim Yates	PreK Para	Eff. September 10, 2020 East Elementary

**TERMINATED**

Submitted to the Board of Education  
October 8, 2020

**ADDENDUM**

This is an Addendum to the Agreement between the **Bixby Public Schools** (hereinafter referred to as “LEA” for Local Education Agency) and **ESS South Central, LLC** (the “Company”) for the services of Substitute Teachers and Staff:

The parties hereby agree to modify the Agreement as follows:

1. Effective August 13, 2020 the following positions and rates are revised in Exhibit A:

<u>Position</u>	<u>Pay Rate</u>	<u>Company Bill Rate</u>	<u>Rule</u>
Custodial	\$12.00	\$16.20	Hourly

2. All other provisions of the Agreement shall remain in full force and effect during the term of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth below.

**Bixby Public Schools**

By \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title

Date \_\_\_\_\_

**ESS South Central, LLC**

By \_\_\_\_\_  
Steve Gritzuk, Chief Operating Officer

Date \_\_\_\_\_

**ADDENDUM**

This is an Addendum to the Agreement between the **Bixby Public Schools** (hereinafter referred to as “LEA” for Local Education Agency) and **ESS South Central, LLC** (the “Company”) for the services of Substitute Teachers and Staff:

The parties hereby agree to modify the Agreement as follows:

1. Effective September 21, 2020 the following positions and rates are revised in Exhibit A:

Position	Pay Rate	Company Bill Rate	Rule
Building Based Subs	\$100.00	\$135.00	Per Diem

2. All other provisions of the Agreement shall remain in full force and effect during the term of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth below.

**Bixby Public Schools**

By \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title

Date \_\_\_\_\_

**ESS South Central, LLC**

By \_\_\_\_\_  
Steve Gritzuk, Chief Operating Officer

Date \_\_\_\_\_

**TEACHER ETHICS**

The Bixby Board of Education realizes that codes of ethics are normally developed by the professions themselves, and are not imposed upon them by employers or any higher body. However, because the actions of school district employees are viewed and appraised by the community, professional associates, and students, activities by employees which adversely affect the educational goals of this district will not be condoned by the Board of Education. Therefore, all school employees are expected to maintain certain standards of conduct and to assume responsibility for providing professional leadership in the school and community. These standards include the following:

- A. The maintenance of professional relationships with pupils, parents, staff members, and others.
- B. The maintenance of their own efficiency and knowledge of the developments in their fields of work.
- C. The transaction of all official business with the properly designated authorities of the school system.
- D. The establishment and maintenance of cooperative relationships between the community and the school system.
- E. The representation of the school system on all occasions that the contributions of the school system to the community are recognized.
- F. The placement of the welfare of the children as the first concern of the school system, thus appointments to positions and promotion must be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
- G. Restraint from using the school environment, contacts, and privileges to promote partisan politics, sectarian religious views, personal beliefs gain, or propaganda of any kind. **This includes any signage or materials displayed on district property that is, or becomes, political in nature. Political signage is defined as any materials indicating support for an individual candidate, ballot question, or political matter, or reasonably resembling any such signage as determined by the Superintendent or his/her designee.**
- H. **Restraint from endorsement of any organization not specifically approved by the district.**
- I. Directing any criticism of other staff members or of any department of the school system toward the improvement of the school system. Such constructive criticism is to be made directly to the particular school administrator who has the administrative responsibility for improving the situation and then to the superintendent if necessary.
- J. The proper use and protection of all school properties, equipment, and materials.

*Adoption Date: November 13, 2000*

*Revision Date: August 13, 2020*

*Revision Date: October 8, 2020*

From: William B. Shinoff, Esq.  
Subject: School District v. Juul Labs, Inc., et. al.

This memo will cover frequently asked questions by administrators and Boards of Education regarding the ongoing vaping litigation.

### **Class Action v. Mass Action**

This litigation that School District's across the country are joining against Juul Labs, Inc. and other distributors and marketers of vaping products is a type of class action. This litigation is commonly referred to as a Mass Action. The difference between a Class Action and Mass Action is the final financial benefit to the client.

In this litigation each School District will file their own individual action in the local Federal Court. Within thirty days their case will be transferred to the Federal Court in San Francisco, California where all School District cases against Juul Labs and the other vaping company defendants will be litigated. As a group, we will be conducting extensive discovery against the Defendants in order to prove our claims in this matter.

During this time frame there will be settlement discussions between the parties to resolve these cases. This is where the difference between a Class Action and Mass Action exists. When there is a resolution, each client will present to the Defendants a demand package which shows the extent of their past and future damages. This demand package will provide the Defendants the true amount it will take to resolve each specific School District's case. Thus, each District that is involved in this litigation will be entitled to the full extent of all past and future monetary damages.

In a Class Action, the signed up individual Plaintiff's do not receive the full extent of their actual past and future damages. But receive a nominal amount which represents the credibility of their claim.

This is why, when there are cases where there is extensive damages for a Plaintiff, such as this case with School District's. A mass action is the appropriate way to handle this matter.

### **Staff Time and Requirements**

Unlike common litigation that School Districts are involved in, this litigation will not require an immense amount of staff time and involvement. Based on prior Mass Action cases, it is our expectation that staff involvement in this matter will not exceed ten hours. This staff time will include responding to written questions from the Defendants and limited document production. Unlike other litigation, this case will **not** require administrators or staff to be deposed or make an appearance in court.

### **Benefits to the Participating School Districts**

In this litigation we will be seeking not only past monetary damages your District has suffered but also obtain from the defendants the appropriate compensation to deal with this vaping epidemic on your campus in the future. The focus of these future damages will be about deterrence, support and education.

### Vape Detectors

One way to deter vaping on campus is through the installation of vape detectors in your campus bathrooms. Based on proposals from experts, a complete installation of a vape detector system will cost around \$5,000/bathroom. Thus, we will be obtaining for your district the appropriate compensation in order for your district to install vape detectors systems in all of your bathrooms.

### Salaries for Supervisors and Counsels

Based on discussions with our current clients and our experts. It appears that it will be necessary for Districts to hire more employees to be able to provide further supervision of students to make sure that vaping is not occurring on campus. In addition, due to the nicotine addiction that is a result of the students use of these vaping devices there will also be a need for more counselors. These counselors will be able to provide support for the social and emotional issues that come with nicotine addiction. As such, we will be seeking compensation from the Defendants to pay for these additional staff that we believe your District may need to hire to support the students of your District.

### Education on the harms of vaping

The final component of the future damages we will be seeking from the Defendants is funding for educational programs for students and parents on the harms of vaping. Due to the Defendants fraudulent and misleading advertising to students it is apparent that students are not aware of the harms of these products. These educational programs will help with the goal of deterring future use of the product and hopefully provide support for these students to stop using the product entirely.

### Free Educational Program for students and parents during the Litigation

As this vaping epidemic is not a matter we cant wait to deal with, our firm has put together a group of medical experts to put on presentations to your students and parents on the harms of vaping. We are offering these presentations at no cost to the client. We just ask the client to contact us so we can schedule the presentation.

### Contingency Fee Agreement

This litigation is being handled by our firm on a contingency fee agreement. A contingency fee agreement means that your School District is not responsible for any fees or costs if your District does not receive any monetary compensation in this matter. Any compensation to our firm for fees and costs would come from the recovery your District receives. As such, no general fund money will ever be used for this litigation.

Additionally, we have reduced our attorney fees in this litigation. Normally, our attorney fees would be forty percent of the recovery. However, in this litigation our attorney fees structure is twenty percent if the case resolves in the first year and twenty five percent thereafter. No matter how long this litigation takes. Thus, there is only a financial benefit for your School District to be involved in this case.

### **Next Steps**

If your District is interested in joining the other Districts across the country in this fight against the vaping industry the following are the next steps you would need to take:

- 1.) Contact William Shinoff at 855-735-5945 or [wshinoff@frantzlawgroup](mailto:wshinoff@frantzlawgroup) to set up a presentation for your board.
- 2.) A presentation to your board in executive/closed session or open session regarding this litigation.
- 3.) Placement of the contingency fee agreement on the board agenda for approval.

# SCHOOL DISTRICT V. JUUL LABS, INC

FRANTZ LAW GROUP,  
APLC

ATTORNEYS:

JAMES FRANTZ

WILLIAM SHINOFF

REGINA BAGDASARIAN

# E-CIGARETTE USE BY STUDENTS

Between 2011 and 2015, e-cigarette use among high school and middle school students increased 900%.

- Between 2017 and 2018, e-cigarette use increased 78% among high school students, from 11.7% of high school students in 2017 to 20.8% of high schoolers in 2018.
- Among middle school students, e-cigarette use increased 48% between 2017 and 2018.
- In 2018, 4.9 million middle and high school students used tobacco products, with 3.6 million of those students using e-cigarettes.
- Between 2017 and 2018, the number of youth e-cigarette users increased by 1.5 million.

# E-CIGARETTE USE BY STUDENTS

According to the Centers for Disease Control and Prevention (“CDC”) Director Robert Redfield, “The skyrocketing growth of young people’s e-cigarette use over the past year threatens to erase progress made in reducing tobacco use. It’s putting a new generation at risk for nicotine addiction.”

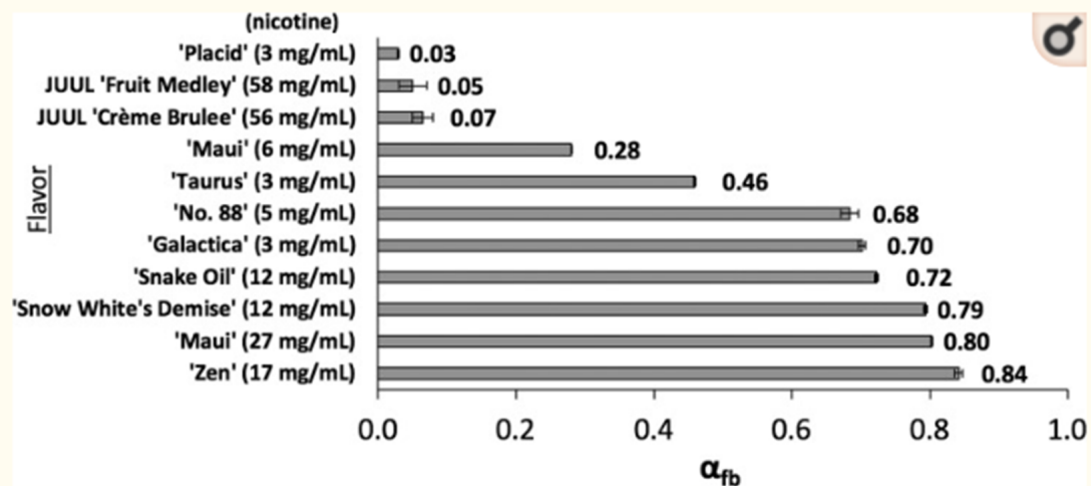
# NICOTINE USE EPIDEMIC CAUSED BY JUUL

A major cause of this epidemic is JUUL, Labs, Inc., the maker of the JUUL e-cigarette.

- Juul entered the e-cigarette market in 2015 and now controls over 70% of it.
- Over a million JUUL e-cigarettes were sold between 2015 and 2017.
- In 2017, JUUL generated over \$224 million in retail sales, a 621% year over year increase.
- By June 2018, sales had skyrocketed another 783%, reaching \$942.6 million.
- Juul's nicotine content is one of the highest among e-cigarettes on the market.

# NICOTINE SALTS: JUUL INNOVATION EASES CONSUMPTION OF NICOTINE

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[Figure 3](#)

Free-base nicotine fraction ( $\alpha_{fb}$ ) in commercial e-liquids as an average using aromatic protons  $H_a$  and  $H_b$ . The ranges between free base values are indicated. Nicotine amounts as indicated to the right of each name were determined by NMR integrations, relative to the PG and GL resonances.

# GOVERNMENT INVESTIGATION INTO JUUL LABS, INC.

JUUL's market dominance has attracted the attention of government regulators, including the FDA.

- On **February 24, 2018**, the FDA sent a letter to JUUL expressing concerns about the popularity of its product among youth and demanding that JUUL produce documents regarding its marketing practices.
- As of **October 2019**, the FDA, the Federal Trade Commission, multiple state attorneys general, and the U.S. House of Representatives Committee on Oversight and Reform have all commenced investigations into JUUL's role in the youth vaping epidemic and whether JUUL's marketing practices purposefully targeted youth.
- On **September 9, 2019**, the FDA warned JUUL that it has violated federal law by making unauthorized representations that JUUL products are safer than cigarettes.

# TEEN NICOTINE ADDICTION CAUSED BY JUUL

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JUUL has compelled a generation of youth, who were never cigarette smokers, into nicotine addiction and put them at risk for severe lung injury and/or health harms resulting from aerosol inhalation.

# JUUL AND SCHOOL DISTRICTS

- **School Districts** are the primary entities affected by the JUUL crisis.
- Schools are on the front-line of fighting this epidemic.
- JUUL use has invaded school bathrooms —now known as “the JUUL room.”

# JUUL AND SCHOOL DISTRICTS

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- Rampant JUUL use has effectively added another category to teachers and school administrators job descriptions; many now receive special training to respond to the various problems that JUUL presents, both in and out of the classroom.
- A national survey of middle schools and high schools found that **43.3% of schools have had to implement not only an e-cigarette policy but a JUUL specific policy.**
- Participants in the survey reported multiple barriers to enforcing these policies, including the discreet appearance of the product, difficulty pinpointing the vapor or scent, and the addictive nature of the product.

# JUUL AND SCHOOL DISTRICTS

Across the United States, schools have had to divert resources and administrators have had to go to extreme lengths to respond to the ever-growing number of students using JUUL's on school grounds.

- According to the Truth Initiative:
  - More than 40 percent of all teachers and administrators reported their school uses camera surveillance near the school's restroom,
  - Almost half (46 percent) reported camera surveillance elsewhere in the school,
  - 23 percent reported using assigned teachers for restroom and surveillance.
- Schools have paid thousands of dollars to install special monitors to detect vaping, which they say is a small price to pay compared to the plumbing repairs otherwise spent as a result of students flushing vaping paraphernalia down toilets.
- Other school districts have created new positions for tobacco prevention supervisors, who get phone alerts when vape smoke is detected in bathrooms.

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# JUUL AND SCHOOL DISTRICTS



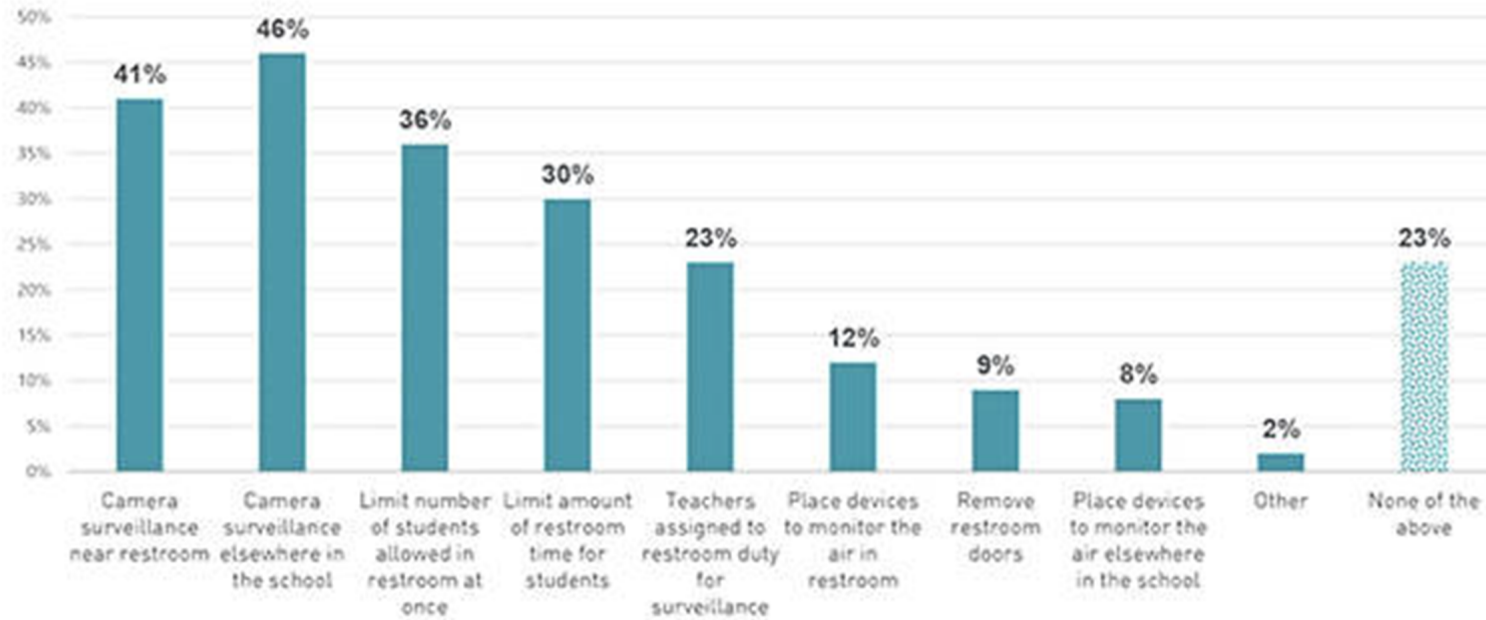
Many schools have shifted their disciplinary policies in order to effectively address the JUUL epidemic. Rather than immediately suspending students for a first offense, school districts have created anti-vaping curricula which students are required to follow in sessions held outside of normal school hours, including Saturdays.



This extra work requires atypical hours early in the mornings and on weekends.

# TREATING YOUTH NICOTINE ADDICTION

## What have schools done about e-cigarettes?



# DAMAGES SUFFERED BY SCHOOL DISTRICTS AS A RESULT OF THE JUUL EPIDEMIC

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The surge of vaping disrupts the learning environment as educators have to deal with the prevention and detection of student vaping and modify school property and school operations in response to the problem.

- With respect to students who are caught vaping, administrators must expend time and resources to deal with the problem and provide supports (e.g. positive behavioral intervention.)
- Because standard smoke detectors are not sufficiently sensitive to detect vape smoke and interferes with fire alarm detectors, the District would need to retrofit its detector systems or procure vaping detectors to fully monitor and prevent in-school vaping on middle school and high school campuses.

# DAMAGES SUFFERED BY SCHOOL DISTRICTS AS A RESULT OF THE JUUL EPIDEMIC

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- The vaping epidemic hurts individual student learning.
- Vaping has led to a rise in student absence due to sickness or absenteeism.
- Vaping hurts all students in the District, not just those who do it, through less school funding from the State for school operations.
  - The vast majority of revenue the District receives is tied to daily student attendance.
  - Student absence due to vaping related issues cause a reduction in state funding for the District, which inherently results in less funding to spend on learning for all students.

# DAMAGES SUFFERED BY SCHOOL DISTRICTS AS A RESULT OF THE JUUL EPIDEMIC

Vaping hurts all students by diverting funds away from learning toward anti-vaping educational campaigns, as well as vaping prevention, and treatment.

- For example, a District would potentially have to divert services and funding away from implementing specialized programs, lowering class sizes, improving technology, enhancing curricular materials, and academic reading and math instructional intervention programs for students who are struggling academically. The District instead must put additional resources into addressing the vaping harm within the District.
- Districts will continue to incur extensive costs to orchestrate outreach regarding the risks of vaping, to enforce restrictions regarding vaping in school (for example, through vape smoke detectors), and to develop and carry out protocol associated with the collection and disposal of vaping products.
- In the absence of student vaping, these funds could have gone to the District's core activity--educating youth.

# HOW FRANTZ LAW GROUP CAN HELP

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- Filing of a lawsuit on behalf of the District to recover damages associated with dealing with this crisis.
- Litigate the matter on behalf of the District (i.e. conducting discovery, motions, trial)
- Regular updates to the administration and board on the status of the litigation.
- Recoup past and future costs to the District related to the JUUL vaping epidemic.
- Provide free educational workshops to students and parents on the harms of vaping and how to find support for students who are trying to quit vaping.

# WHY CHOOSE FRANTZ LAW GROUP, APLC

- Over 100+ years of experience litigating cases in state and federal court.
- Past experience representing School Districts in state and federal court.
- Over \$500 million recovered in verdicts and settlements.
- Integral role in recovering approximately \$2 Billion (along with other counsel) for wildfire victims against SDG&E/SEMPRA Energy\*
- Currently representing over 4,000 clients against PG&E for the 2017 and 2018 wildfires which has resulted in a tentative \$13.5 billion settlement.\*\*
- Represent 199 victims in the 2017 Las Vegas shooting which resulted in an \$800 million settlement for our clients along with other plaintiffs. \*\*\*
- Currently representing over 1000 clients against SoCal Edison in the Thomas and Woolsey Fires.
- Successfully represented (through settlement or trial) approximately **500 wrongful death matters**.
- Currently represent families in 31 individual wrongful death cases with respect to the Thomas Fire/Mudslides and the North Bay and Camp Fires.

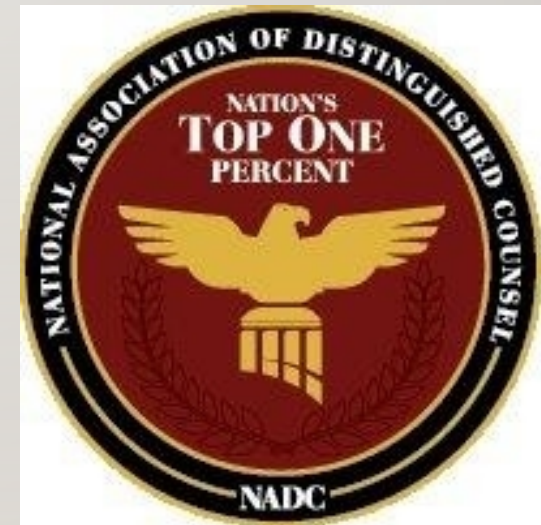
\* Results in other matters are not a guarantee or prediction of the outcome of your legal matter; Results are dependent on the facts of each case, and different facts can result in different outcomes.

\*\* Tentative settlement which awaits further review of the PG&E Plan of Reorganization by the CPUC and the Bankruptcy Court

\*\*\* The settlement is conditionally resolved subject to the satisfaction of some outstanding requirements

# AWARDS

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# BOARD OF EDUCATION ELECTION RESOLUTION

(To be utilized if mill levies were made permanent in previous election)

TO: Tulsa County Election Board

FROM: The Bixby School District, Independent School  
District N072-1004 of Tulsa, County, Oklahoma

The Board of Education of the Bixby School District has approved the following resolution calling for an election to be submitted to the voters of the district.

## Date of the Election:

A Board of Education Primary Election shall be held on February 9, 2021, only if three or more candidates file for the Board of Education position scheduled to be on the ballot or for a Board of Education position appearing on the ballot as an unexpired term. A Board of Education General Election shall be held on April 6, 2021, under the following circumstances: if only two candidates file for a position scheduled to be on the ballot or for a position on the ballot for an unexpired term or if no candidate in the Board of Education Primary Election receives more than 50% of the votes cast. The polling places shall be open from 7:00 a.m. to 7:00 p. m.

## Board Member Position On Ballot:

The voters shall elect a board member for board position No. 1, which has a 5 year term of office.

## Qualifications of Candidates for Office:

To be eligible to be a candidate for member of the board of education of a school district, a person must have resided in the district for at least six months preceding the first day of the filing period, and have been a registered voter registered with the county election board at an address located within the geographical boundaries of the district for six months preceding the first day of the filing period. In school districts that have been divided into election districts, a candidate must have resided in the district for six months preceding the first day of the filing period and have been a registered voter registered within the county election board at an address located within the geographical boundaries of the election district for six months preceding the first day of the filing period.

No person shall be eligible to be a candidate for or elected to be a member of the board of education of a school district unless the person has been awarded a high school diploma or certificate of high school equivalency.

A person who has been convicted of a misdemeanor involving embezzlement or a felony under the laws of this state or of the United States or who has entered a plea of guilty or nolo contendere to such misdemeanor involving embezzlement or felony or who has been convicted of a crime in another state which would have been a misdemeanor involving embezzlement or a felony under the laws of this state or has entered a plea of guilty or nolo contendere to such crime shall not be eligible to be a candidate for or be elected to any school

board office for a period of fifteen years following completion of his sentence or during the pendency of an appeal of such conviction or plea.

No person shall be eligible to be a candidate for or serve on a board of education if he or she is currently employed by the school district governed by the board of education or is related within the second degree by affinity or consanguinity to any other member of the board of education or to any employee of the school district. The following are relatives within the second degree: A candidate' s spouse, child, parent, grandchild, grandparent, brother, sister, spouse's child, spouse's grandchild, spouse's brother, spouse's sister, spouse's grandparent, grandchild's spouse, parent's spouse, and child's spouse. The prohibitions in this paragraph shall not apply if the board member candidate is related within the second degree of affinity or consanguinity to an individual employed as a substitute teacher by the school district or as a temporary substitute support employee if the school district has an Average Daily Membership of less than five thousand (5,000).

Candidates must affirm that upon being elected as a new member of the Board of Education, within fifteen (15) months of election, they will complete at least twelve (12) hours of instruction on education issues, including school finance, Oklahoma education laws, and ethics, duties and responsibilities of district board of education members. Three (3) of these twelve (12) credits must be earned as follows: one ( 1) credit in ethics, one (1) credit in open meeting act and open records act, and one (1) credit in school finance. Incumbents must affirm that they will complete six (6) hours of instruction within fifteen (15) months of election emphasizing changes in school law. Three (3) of these six (6) credits must be earned as follows: one (1) credit in ethics, one (1) credit in open meeting act and open records act, and one ( 1) credit in school finance.

Voters Eligible to Vote:

To be eligible to vote, a voter must be registered with the county election board at an address within the geographical boundaries of the district.

Ballot Titles:

The ballot to be submitted to the voter's shall call for the voters to:

1. Select one candidate for the 5-year term for the Bixby School Board Position No. 1:

Approved by the Bixby Board of Education this 8th day of October. 2020.

\_\_\_\_\_  
President, Bixby Board of Education

\_\_\_\_\_  
Clerk, Bixby Board of Education



# BOARD OF EDUCATION ELECTION RESOLUTION

(To be utilized if mill levies were made permanent in previous election)

TO: Wagoner County Election Board

FROM: The Bixby School District, Independent School  
District N072-1004 of Tulsa, County, Oklahoma

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President, Bixby Board of Education

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Clerk, Bixby Board of Education

