

SECTION B: BOARD GOVERNANCE AND OPERATIONS

BA*	Board Operation Goals
BB*	Board Legal Status
BBA*	Board Powers and Duties
BBAA*	Board Member Authority (and Duties)
BBB*	Board Elections
BBBA*	Board Member Qualifications
BBBB*	Board Member Oath of Office
BBBB-E*	Board Member Oath of Office
BBE*	Unexpired Term Fulfillment
BBF*	Board Member Ethics
BBF-E*	Board Member Code of Ethics
BBFA*	Board Member Conflict of Interest
BCA*	Board Organizational Meeting
BCB*	Board Officers
BCC*	Qualifications and Duties of the Treasurer
BCCA*	Incapacity of Treasurer
BCCA-R*	Incapacity of Treasurer
BCCB*	Evaluation of the Treasurer (Also AFBA)
BCCC*	Treasurer's Contract
BCCD*	Board-Treasurer Relationship
BCD*	Board-Superintendent Relationship (Also CBI)
BCE*	Board Committees
BCFA*	Business Advisory Committee to the Board
BCG*	Educational Service Center Attorney
BD*	Board Meetings
BDC*	Executive Sessions
BDDA*	Notification of Board Meetings
Bddb*	Agenda Format
BDDC*	Agenda Preparation and Dissemination
BDDF*	Voting Method
BDDF-E*	Voting Method-5 Member Board
BDDG*	Minutes
BDDH*	Public Participation at Board Meetings (Also KD)
BDDJ*	Broadcasting and Taping of Board Meetings (Also KBCD)
BFC*	Policy Adoption
BFCA*	Board Review of Regulations
BFD	Policy Dissemination
BFE*	Administration in Policy Absence (Also CHD)

SECTION B: BOARD GOVERNANCE AND OPERATIONS
(Continued)

BFF*	Suspension of Policies
BFG*	Policy Review and Evaluation
BG*	Board-Staff Communications (Also GBD)
BHA*	New Board Member Orientation
BHBA*	Board Conferences, Conventions and Workshops
BHD*	Board Member Compensation and Expenses
BI*	Board Legislative Program
BK*	Evaluation of Board Operational Procedures (Also AFA)

* denotes areas covered by Board policy

BOARD OPERATION GOALS

The primary responsibility of the Board is to establish purposes, programs and procedures which will produce the educational services needed by the ESC. The Board must accomplish this while also being responsible for wise management of resources available to the Educational Service Center. The Board must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy and by evaluating the results; further, it must carry out its functions openly, while seeking the involvement and contributions of the public and staff in its decision-making processes.

In accordance with these principles, the Board will seek to achieve the following goals.

1. To concentrate the Board's collective effort on its policy-making and planning responsibilities.
2. To formulate Board policies which best serve the educational interests of the school districts in Medina County.
3. To provide the Superintendent with sufficient and adequate guidelines for implementing Board policies.
4. To maintain effective communication with the community, the staff and the students in order to maintain awareness of attitudes, opinions, desires and ideas.
5. To allow those responsible for carrying out objectives to contribute to their formation.
6. To conduct Board business openly, soliciting and encouraging broad-based involvement in the decision-making process.
7. To periodically review its performance relative to the goals.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.17; 3313.20(A); 3313.47

CROSS REF.: AFA, Evaluation of Board Operational Procedures (Also BK)

SCHOOL BOARD LEGAL STATUS

The Ohio General Assembly has delegated responsibility for the conduct of public schools in each school district to a local board of education. Boards of education are political subdivisions of the state and members of a board are officials elected by the citizens of a district to represent them in the management of the public schools.

Legally, a board of education is a body politic and corporate, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing and disposing of real and personal property; and taking and holding in trust for use of the district any grant or gift of land, money or other personal property.

The Governing Board of the Educational Service Center of Medina County is composed of 5 members elected by the citizens of the members of the local school district. A regular term is four years.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2077]

[Re-adoption date: September 26, 2011]

[Re-adoption date: December 13, 2013]

[Re-adoption date: April 24, 2017]

LEGAL REFS.: ORC 3311.01; 3311.02; 3311.03; 3311.04; 3311.05; 3311.19
3313.01; 3313.02; 3313.09; 3313.17

CROSS REFS.: AA, School District Legal Status
BBA, School Board Powers and Duties
BBB, School Board Elections

BOARD POWERS AND DUTIES

Under State law, the Board acts as the governing body of the Service Center with full powers of direction and control.

Within the extent of its legal powers, the Board has responsibilities for conducting the school system in accordance with the desires of local citizens who elect its members.

The Board considers the following to be its major responsibilities which include:

1. appointing a Superintendent for a term not longer than five years;
2. holding an organizational meeting of the Board during the month of January of each year and elect a President and Vice President to serve for one year;
3. appointing a Treasurer;
4. holding regular meetings at least every two months;
5. adopting rules and regulations not inconsistent with policies and regulations prescribed by the State Board of Education and its own government and the government of its employees;
6. preparing each year, on or before a date set by the State Board of Education, a budget of operating expenses for the ensuing year for the Board and certify the same to the State Board of Education for approval, increase or decrease;
7. requiring its Superintendent to keep and prepare all reports required by law;
8. adopting lists of textbooks for local school districts subject to the right of each local school district to select from said list of books to be used in that district;
9. prescribing a graded course of study for the local school districts;
10. designating a county attendance officer;
11. providing for physical examination of bus drivers;
12. issuing certificates of qualification to school bus drivers;
13. ruling on transportation when a local board does not provide;
14. granting sick leave to its employees in accordance with the provisions of the law;
15. acting in the place of a local board of education and perform its duties in the case where a local board does not fill a vacancy as required by law or fails to perform a duty imposed upon it by law;
16. making an equitable division of funds between the districts involved when it creates a new local school district from one or more local districts or parts thereof and when it transfers a part of a local school district to an adjoining district;
17. issuing an Annual Report of school progress in accordance with guidelines established by the State Board of Education;
18. adopting policy regarding sick leave severance pay consistent with law;
19. employing persons without regard to race, color, religion, gender or national origin in all terms, conditions and privileges of employment and
20. providing supervisory services to local school districts.

Permissive Duties of the Educational Service Center

1. establishing a service fund not exceeding such amount as may be approved by the State Board of Education to be used for the purposes authorized by law;
2. appointing one or more assistant superintendents and such other administrative officers and employees as are necessary;
3. assigning to such employees such administrative duties as are not in conflict with law or imposed on any other officers or employees by law;
4. allowing the Superintendent and assistant superintendent of the Educational Service Center each a sum not exceeding that specified by law for traveling expenses with the ESC;
5. determining the method of paying its employees and fix the compensation for same;
6. providing materials, supplies and equipment for the use of its Superintendent in furthering the instructional program of the Educational Service Center;
7. providing funds for bulletins and materials necessary for the effective administration of the schools in the Educational Service Center;
8. expending funds for conducting studies pertaining to school district organization, building needs, curriculum and instructional needs, improved and additional services for ESCs and for publishing reports and studies;
9. employing clerical staff;
10. entering into contractual agreements for cooperative services;
11. purchasing or lease motor vehicles;
12. joining a school boards association and pay the dues permitted by law;
13. establishing and maintain classes for children with disabilities subject to approval by the State Board of Education;
14. proposing the transfer of a part or all of one or more local districts to an adjoining school district;
15. setting an effective date for transfer of school territory prior to July 1 of any year;
16. proposing the creation of a new local school district from one or more local school districts or parts thereof;
17. disposing of property, according to law, if it owns property other than trust property not authorized to be sold;
18. employing assistant attendance officers;
19. calling educational meetings and pay expenses of same and call a meeting of all local boards of education at least once a year;
20. accepting any gift, property or endowment and administer the same;
21. purchasing for school districts and accept donations of supplies and equipment and pay the transportation, handling and storage charges as well as the cost of the merchandise subject to authorization and reimbursement of the boards of education of such local school districts;
22. purchasing liability insurance;
23. expending funds for consultant services;
24. contracting for sharing services and

25. building, enlarging, repairing and furnish the necessary facilities for conducting special education programs.

[Adoption date: December 7, 1996]

[Re-adoption date: April 24, 2000]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.17; 3313.18; 3313.20(A); 3313.22; 3313.37; 3313.375; 3313.39;
3313.47
3315.07
3319.01
5705.01(A); 5705.03; 5705.28

CROSS REFS.: BB, Board Legal Status
BBAA, Board Member Authority (and Duties)

**BOARD MEMBER AUTHORITY
(And Duties)**

The authority of this Board extends only to the territory included within the limits of this Educational Service Center and not over city school district territory. Jurisdiction over local school districts within the territory of this ESC shall be complete to the extent provided by statute.

Board members, as individuals, do not separately possess the powers that reside in the Board; however, no Board member shall be denied facts or materials required for the proper performance of his/her duties to which he/she is legally entitled. If, in the opinion of the Superintendent, a Board member's request(s) for facts and information is administratively unreasonable, the request for said facts or material shall be taken before the Board for a vote at the next meeting of the Board.

The Board has no powers when not in session except for such powers as may be delegated by the Board to a committee.

The purpose of this Educational Service Center is to develop professional leadership and consulting services in order to strengthen local districts in areas they are unable to finance or staff independently. The Board will also provide specialized programs on a collective basis that local districts, city districts, JVS, MRDD and private or parochial schools could not efficiently or economically provide on an individual basis. The Board shall also coordinate certain State and Federal program standards to ensure local district compliance.

[Adoption date: December 7, 1996]

[Re-adoption date: April 24, 2000]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 121.22
3313.18; 3313.33

CROSS REF.: BBA, Board Powers and Duties

BOARD ELECTIONS

Members of the Board are elected at large by the qualified voters of the ESC on a nonpartisan ballot on the first Tuesday following the first Monday in November, in odd-numbered years.

The Board member is elected to a term of office of four years and assumes office on the first day of January after the election. Terms shall expire on December 31, except as otherwise provided by law. In a four-year period, terms are staggered so that two members are elected in half of the four-year period, and three elected in the other half. The elections will occur in odd-numbered years.

Candidates for election are nominated by petition. Petitions must be filed 75 days before the election.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3.01

3313.01; 3313.02; 3313.04; 3313.05; 3313.07; 3313.08; 3313.09
3501.01; 3501.02(D); 3501.38
3513.254; 3513.255; 3513.256

CROSS REF.: BB, Board Legal Status

BOARD MEMBER QUALIFICATIONS

Under State law, a board member must be an elector residing in one of the ESC's members local school districts. To qualify as an elector, a person must be a citizen of the United States, 18 years of age or older, a resident of the state for at least 30 days prior to the election and a resident of the county and precinct in which he/she offers to vote for at least 30 days prior to the election.

A variety of other public positions, elected and appointed, have been determined by the General Assembly or the courts to be incompatible with board membership. Generally, offices are considered incompatible when one is subordinate to, or in any way provides a check upon, the other, or when it is physically impossible for one person to discharge the duties of both positions.

Before taking office, each person elected or appointed to the Board is required by law to take an oath of office.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

[Re-adoption date: April 24, 2017]

LEGAL REFS.: ORC 3311.19
3313.02; 3313.10; 3313.13; 3313.70
3503.01
Chapter 3517

CROSS REFS.: BBBB, Board Member Oath of Office
BBE, Unexpired Term Fulfillment (Board Vacancy)
BBFA, Board Member Conflict of Interest
LBB, Cooperative Educational Programs

BOARD MEMBER OATH OF OFFICE

“Do you solemnly swear (or affirm) that you will support the Constitution of the United States and the Constitution of the state of Ohio; and that you will faithfully and impartially discharge your duties as members of the Board of the, Medina County Educational Service Center, Medina County, Ohio, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified.” The answer is “I do.”

Member's Signature

UNEXPIRED TERM FULFILLMENT

A vacancy on the Board may be caused by:

1. death;
2. nonresidence;
3. resignation;
4. removal from office;
5. failure of a person elected or appointed to qualify within 10 days after the organization of the Board or of his/her appointment or election;
6. relocation beyond Educational Service Center boundaries or
7. absence from Board meetings for a period of 90 days, if the reasons for the absence are declared insufficient by a two-thirds vote of the remaining Board members. The vote must be taken not earlier than 30 days after the 90-day period of absence.

Any such vacancy will be filled by the Board at its next regular or special meeting not earlier than 10 days nor later than 30 days after the vacancy occurs. A majority vote of all the remaining members of the Board may fill the vacancy.

Each person selected to fill a vacancy will hold office for the shorter of the following periods:

1. until the completion of the unexpired term or
2. until the first day of January immediately following the next regular Board election taking place more than 90 days after a person is selected to fill the vacancy. At that election, a special election to fill the vacancy will be held; however, no such special election will be held if the unexpired term ends on or before the first day of January immediately following that regular Board election.

The term of a person elected in this manner will begin on the first day of January following the election and will be for the remainder of the unexpired term.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3.01; 3.02; 3.07; 3.08
3313.11; 3313.85

CROSS REF.: BBBA, Board Member Qualifications

BOARD MEMBER ETHICS

The Board believes public education should be conducted in an ethical manner. In general, the conduct of Board members should conform to the code of ethics of the Ohio School Boards Association which includes the following.

1. It is unethical for a board member to:
 - A. seek special privileges for personal gain;
 - B. personally assume unauthorized authority;
 - C. criticize school employees publicly;
 - D. disclose confidential information or
 - E. place the interest of one group or community above the interest of the entire ESC.
2. It is unethical for a board to:
 - A. withhold facts from the Superintendent, particularly about the incompetency of an employee;
 - B. consider complaint(s) against an employee which was not first submitted to the Superintendent or
 - C. announce future action before the proposition has been discussed by the Board.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: Ohio School Boards Association Delegate Assembly; OSBA Legislative
Platform 1991
ORC 102.03; 102.04
2921.01(A); 2921.42; 2921.43; 2921.44
3319.21

CROSS REF.: BBFA, Board Member Conflict of Interest

BOARD MEMBER CODE OF ETHICS

While serving as a member of my Board of Education, I accept the responsibility to improve public education. To that end I will:

remember that my first and greatest concern must be the educational welfare of all students attending the public schools;

obey the laws of Ohio and the United States;

respect the confidentiality of privileged information;

recognize that as an individual Board member I have no authority to speak or act for the Board;

work with other members to establish effective Board policies;

delegate authority for the administration of the schools to the Superintendent and staff;

encourage ongoing communications among Board members, the Board, students, staff and the community;

render all decisions based on the available facts and my independent judgment rather than succumbing to the influence of individuals or special interest groups;

make efforts to attend all Board meetings;

become informed concerning the issues to be considered at each meeting;

improve my boardmanship by studying educational issues and by participating in in-service programs;

support the employment of staff members based on qualifications and not as a result of influence;

cooperate with other Board members and administrators to establish a system of regular and impartial evaluations of all staff;

avoid conflicts of interest or the appearance thereof;

refrain from using my Board position for benefit of myself, family members or business associates and

express my personal opinions, but, once the Board has acted, accept the will of the majority.

NOTE: This Code of ethics has been adopted by the Ohio School Boards Association Delegate Assembly.

BOARD MEMBER CONFLICT OF INTEREST

The Board and individual members will follow the letter and spirit of the law regarding conflicts of interest.

A Board member will not have any direct or indirect pecuniary interest in a contract with the Educational Service Center; will not furnish directly any labor, equipment or supplies to the ESC, nor be employed by the Board in any capacity for compensation.

A Board member may have a private interest in a contract with the Board if all of the following apply:

1. the subject of the public contract is necessary supplies or services for the Educational Service Center;
2. the supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the Educational Service Center as part of a continuing course of dealing established prior to the Board member's becoming associated with the Educational Service Center;
3. the treatment accorded the Educational Service Center is either preferential to or the same as that accorded other customers or clients in similar transactions and
4. the entire transaction is conducted at arm's length, with full knowledge by the Board of the interest of the Board member, member of his/her family, or his/her business associate and the Board member takes no part in the deliberation or decision with respect to the public contract.

In the event a Board member is employed by a corporation or business which furnishes goods or services to the Educational Service Center, the Board member will declare the association with the organization and refrain from debating or voting upon the question of the contract. It is not the intent of this policy to necessarily prevent the ESC from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing Board members in positions in which personal interest in the public school and place of employment might conflict and to avoid appearances of conflict of interest, even though such conflict may not exist.

The law specifically forbids:

1. the Prosecuting Attorney or a city attorney from serving on the Board;
2. a Board member from serving as the ESC dentist, physician or nurse;

3. a member from being employed for compensation by the Board;
4. a member from having, directly or indirectly, any pecuniary interest in any contract with the Board;
5. a member from voting on a contract to employ/appoint a person as a teacher or instructor, if he/she is related to that person as father, mother, spouse, brother or sister;
6. a member from authorizing, or employing the authority or influence of his/her office to secure authorization of, any public contract in which he/she, a member of his/her family or his/her business associates have an interest;
7. a member from having an interest in the profits or benefits of a public contract entered into by, or for, the use of the ESC and
8. a member from occupying any position of profit during his/her term of office or within one year thereafter, in the prosecution of a public contract authorized by him/her or the Board of which he/she was a member at the time of authorization of that contract.

[Adoption date: December 7, 1996]

[Re-adoption date: April 24, 2000]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 102.03; 102.04
2921.02(B); 2921.42; 2921.43; 2921.44
3313.13; 3313.33; 3313.70
3319.21
4117.20

CROSS REFS.: BBBA, Board Member Qualifications
BBF, Board Member Code of Ethics

BOARD ORGANIZATIONAL MEETING

In compliance with law, the Board will meet during the month of January of each year for the purpose of electing a President and Vice President from among its membership and taking action on other matters of annual business. The Treasurer will canvass the new Board prior to December 31 of each year to establish the date of the organizational meeting.

Meeting Procedures

1. The Board will appoint a President Pro Tempore from its membership at the December meeting.
2. The official swearing in or administration of the oath of office to the new members should follow. If the oath has already been taken, it should be stated where and when this oath was taken, for the record. If the oath has not been previously taken, the Treasurer, any member of the Board or any person qualified to administer an oath may do so.
3. The President Pro Tempore presides over the election and swearing in of the President and the President assumes the chair.
4. The newly elected President then presides over the election and swearing in of the Vice President.
5. The Board will then proceed with items of annual business such as:
 - A. setting the dates and times of regular Board meetings to be held at least once every two months;
 - B. appointment of legal counsel for the ensuing calendar year;
 - C. purchase of liability insurance for Board members;
 - D. appointment of legislative liaison;
 - E. securing of performance bonds for Superintendent, Treasurer and Board President;
 - F. appointing the Board President who, in the absence of the Treasurer, will be authorized to sign school checks and
 - G. establish fee to charge to individuals for copies of materials.
6. Upon conclusion of annual business, the Board will enter into such regular or special business as appears on the agenda for the meeting.

[Adoption date: December 7, 1996]
[Re-adoption date: April 24, 2000]
[Re-adoption date: October 29, 2007]
[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3.24
3313.10; 3313.14; 3313.15; 3313.203; 3313.25; 3313.35; 3313.87
3315.15

CROSS REFS.: BCB, Board Officers
BD, Board Meetings
BHD, Board Member Compensation and Expenses

BOARD OFFICERS

The Board elects at the annual organizational meeting a President and Vice President. The new President may then take the chair. Elections of officers shall be by plurality vote of the Board. Where no such majority exists on the first vote, a second vote shall be cast for the two candidates who received the greatest number of votes.

1. Officers shall serve for one year and until their respective successors are elected and shall qualify.
2. In the event that the office of President becomes vacant, the Vice President shall fill the office for the remainder of the term.
3. In the event that the office of Vice President becomes vacant, the Board shall fill the vacancy for the unexpired term in the same manner as the election conducted at the organization meeting.

Duties of Board Officers

The President of the Board shall:

1. preside at all public meetings of the Board;
2. call special meetings of the Board;
3. appoint all committees;
4. sign checks, notes, conveyances, contracts, minutes and other legal instruments for which the signature of the President is called and
5. assist in the preparation of the Board agenda.

Vice President

In the absence of the President, the Vice President will perform the duties and have the responsibilities and commensurate authority of the President.

The Vice President will perform such other duties as may be delegated or assigned to him/her by the Board.

President Pro Tempore

A president pro tempore may be elected by a majority of the Board to serve in such capacity when the President and Vice President are absent and unable to perform their duties.

The President Pro Tempore will not have power to sign any legal documents and will vacate the chair when the President or Vice President arrives at the meeting.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

CROSS REFS.: BCA, Board Organizational Meeting
BD, Board Meetings

QUALIFICATIONS AND DUTIES OF THE TREASURER

Title: Treasurer

Reports To: Board

Supervises: Staff members assigned by the Superintendent

Qualifications: A valid Treasurer's License/Certificate
All additional qualifications as specified in law.

General Description: To serve as the Educational Service Center's chief financial officer; assume responsibility for the receipt, safekeeping and disbursement of all ESC funds; direct and manage all financial accounting programs and systems.

Essential Functions:

1. Establishes and maintains long-range plans and prepares the annual budget based on ESC resources and needs.
2. Ensures that all ESC fiscal services comply with the laws and regulations of the state, the negotiated agreements and policies of the Board and rules of the Superintendent.
3. Analyzes the effectiveness of ESC programs in his/her areas of responsibility and recommends changes in program, staffing or management strategies as necessary.
4. Develops personal capabilities in financial strategies and supervisory methods.
5. Increases the efficient use of resources toward the achievement of ESC goals.
6. Works cooperatively with the administrative staff towards the achievement ESC objectives.
7. Helps interpret the budget and the ESC affairs under his/her supervision to interested members of the school community.
8. Calls special meetings of the Board.
9. Signs all checks of the Board.
10. Records the proceedings of each meeting of the Board.
11. Notifies the board of elections of all changes in boundaries of the ESC.
12. Deducts from the wages and salaries of employees amounts authorized by the employees and the Board.
13. Produces all money, bonds and securities in his/her hands at the expiration of his/her term.
14. Delivers all books and papers in his/her hands to his/her successor at the expiration of his/her term.
15. Keeps an account of all ESC funds and maintains all records pertaining thereto in the manner described by law.

16. Renders a statement of accounts to the Board and Superintendent in the form prescribed by law and at the times required by law and by the Board.
17. Executes all conveyances of the Board.

Other Duties and Responsibilities:

1. The Treasurer shall be directly responsible to the Board for the performance of his/her legally prescribed duties and responsibilities and to the Superintendent for the performance of his/her assigned duties and responsibilities. He/She shall have direct supervisory responsibility for the activities of all classified staff assigned to him/her, and shall provide advice and guidance to said staff. Observation of his/her performance and preparation of performance reports shall be the responsibility of the Board.
2. If the services of the Treasurer are found to be unsatisfactory to the Board, he/she shall be notified by the Board.
3. If his/her services continue to be unsatisfactory, the Treasurer shall be notified in writing by the Board, of the Board's intent that his/her services will not be renewed.

Additional Working Conditions:

1. Potential exposure to blood, bodily fluids and tissue.
2. Occasional operation of a vehicle under inclement weather/driving conditions.
3. Potential interaction among unruly children.

Required Training:

1. Bloodborne Pathogens
2. Hazardous Communications (HAZCOM)
3. Sexual Harassment
4. Child Abuse and Neglect Reporting
5. Other Board required training
6. Other statutory required training

This job description is subject to change and in no manner states or implies that these are the only duties and responsibilities to be performed by the incumbent. The incumbent will be required to follow the instruction and perform the duties required by the incumbent's supervisor and/or designee

Board President

Date

My signature below signifies that I have reviewed the contents of my job description and that I am aware of the requirement of my position.

Signature

Date

[Adoption date: December 7, 1996]
[Re-adoption date: April 24, 2000]
[Re-adoption date: October 29, 2007]
[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 131.18
3301.074
3311.19
3313.14; 3313.15; 3313.22; 3313.24; 3313.26 through 3313.32; 3313.51
5705.41; 5705.412; 5705.45

CROSS REFS.: BCCA, Incapacity of the Treasurer
BCCB, Evaluation of the Treasurer (Also AFBA)
BCCC, Treasurer's Contract
BDDG, Minutes
DFA, Revenues from Investments
DH, Bonded Employees and Officers

INCAPACITY OF TREASURER

The Board is obligated to provide the ESC with sound management in all areas. The Treasurer holds one of the key management positions for the ESC; plans must be prepared should that person ever become incapacitated.

Should the Treasurer become incapacitated, the Board will appoint a Treasurer Pro Tempore. The appointment is made by a majority vote of the Board after the conditions relating to incapacity of the Treasurer are met in accordance with State law and the Family and Medical Leave Act of 1993.

The Treasurer Pro Tempore shall perform all the duties and functions of the Treasurer and may be removed at any time by a two-thirds majority vote of the members of the Board or upon return to full-time active service of the Treasurer.

The Treasurer Pro Tempore shall meet the licensing requirements established by the State Board of Education.

[Adoption date: December 7, 1996]

[Re-adoption date: February 22, 1999]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: Family and Medical Leave Act of 1993; 29 USC 2601 et seq.; 29 CFR Part 825
ORC 3313.23; 3313.24; 3313.25

CROSS REFS.: BCC, Qualifications and Duties of the Treasurer
BCCB, Evaluation of the Treasurer (Also AFBA)
BCCC, Treasurer's Contract
BCCD, Board-Treasurer Relationship

INCAPACITY OF TREASURER

It is the legal duty of the Board to appoint a Treasurer Pro Tempore by a majority vote of the members of the Board upon determination that the Treasurer is incapacitated in such a manner that he/she is unable to perform the duties of his/her office.

The Board shall fix the compensation of the Treasurer Pro Tempore in accordance with law who shall serve until the Treasurer's incapacity is removed or until the expiration of his/her contract or term of office, whichever is sooner. He/She shall perform all of the duties and functions of the Treasurer and may be removed at any time by a two-thirds majority vote of the members of the Board.

Such incapacity is determined:

1. by request of the Treasurer, if he/she is absent with pay by reason of personal illness, injury or exposure to contagious disease which could be communicated to others or is absent without pay in accordance with the Family and Medical Leave Act;
2. upon certification of the attending physician that the Treasurer is unable to perform the duties of the office of Treasurer;
3. upon the determination of a referee, pursuant to Ohio Revised Code, that the Treasurer is unable to perform the duties of the office of Treasurer;
4. upon the granting of a leave of absence, without pay, requested by the Treasurer by reason of illness, injury or other disability of the Treasurer or
5. upon the placing of the Treasurer on an unrequested leave of absence, without pay, by reason of illness or other disability pursuant to the Ohio Revised Code.

During the period of incapacity, the Treasurer shall:

1. at his/her request, be placed on sick leave with pay, not to exceed the extent of his/her accumulated but unused sick leave and any advancement of such sick leave which may be authorized by Board policy;
2. at his/her request, or without such request, pursuant to Family and Medical Leave Act, be placed on a unpaid FMLA leave for up to 12 weeks per year or
3. at his/her request, or without such request, pursuant to the Ohio Revised Code, be placed on a leave of absence without pay.

The foregoing leave shall not extend beyond the contract or term of office of the Treasurer.

The Treasurer shall, upon written, certified mail request to the Board President, be returned to active-duty status, unless the Board denies the request within 10 days of receipt of the request. The Board may require the Treasurer to establish to its satisfaction that he/she is capable of resuming such duties on a full-time basis.

The Board may, upon a majority vote of its members, demand that the Treasurer return to active service. Within 10 days, the Treasurer shall return to active service, unless he/she has been certified by the physicians that he/she cannot return to duty.

The Treasurer may request a hearing before the Board on any action taken under this policy and shall have the same rights in such hearing as are granted under Ohio Revised Code Section 3319.16.

(Approval date: December 7, 1996)

(Re-approval date: February 22, 1999)

(Re-approval date: October 29, 2007)

(Re-approval date: September 26, 2011)

EVALUATION OF THE TREASURER

The Board evaluates the performance of the Treasurer in order to assist both the Board and the Treasurer in the proper discharge of their responsibilities and to enable the Board to provide the Educational Service Center with the best possible leadership.

The objectives of the Board's evaluation are to:

1. promote professional excellence to improve the skills of the Treasurer;
2. improve the quality of ESC's business practices; and
3. provide a basis for the review of the Treasurer's performance.

Criteria for the evaluation of the Treasurer are based upon the Treasurer's job description and relate directly to each of the tasks described. The job description and any revisions thereto are developed in consultation with the Treasurer and Superintendent and adopted by the Board.

The Board may evaluate the abilities and services of the Treasurer at least once a year.

The evaluation of the Treasurer's abilities and performance is written and made available to and discussed with the Treasurer in conference. The Board may consider the evaluation of the Treasurer in acting to renew or nonrenew his/her contract.

[Adoption date: December 7, 1996]

[Re-adoption date: April 26, 2004]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.22
3319.16

CROSS REFS.: AF, Commitment to Accomplishment
BCC, Qualifications and Duties of the Treasurer
BCCA, Incapacity of the Treasurer
BCCC, Treasurer's Contract

TREASURER'S CONTRACT

The appointment of the Treasurer is secured through a written agreement stating the terms of the contract. The contract meets all State requirements and protects the rights of both the Board and the Treasurer.

The Treasurer's is appointed for a term not to exceed five years. The initial contract can be for not less than one year or more than five years. The term commences on August 1 and continues through July 31 of the year in which the contract expires.

Salary and benefits are determined by the Board at the time of the appointment and are reviewed by the Board each year. The Treasurer's salary may be increased or decreased during his/her term of office. However, any decrease must be a part of "a uniform plan" affecting salaries of all ESC employees.

The termination procedures that currently apply to teachers and other administrators, requiring a due process hearing, now apply to the Treasurer.

If the Board intends to nonrenew the Treasurer's contract, notice in writing of the intended nonrenewal must be given to the Treasurer on or before March 1 of the year in which the contract expires.

The Board may permit an individual who does not hold a valid Treasurer's license to serve as ESC Treasurer as long as the individual meets the qualifications for licensure and has applied for a license but has not yet received the State Board of Education's decision.

Nothing in this policy shall prevent the Board from making the final determination regarding the renewal or nonrenewal of the Treasurer's contract.

[Adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3301.074
3313.22; 3313.24; 3313.31
3319.16

CROSS REFS.: BCC, Qualifications and Duties of the Treasurer
BCCA, Incapacity of the Treasurer
BCCB, Evaluation of the Treasurer (Also AFBA)
BCCD, Board-Treasurer Relationship

BOARD-TREASURER RELATIONSHIP

The development of financial policies, consistent with long-term goals, is one of the most important functions of a board. The implementation of financial policies is the function of the Treasurer and his/her staff.

Delegation by the Board of its financial powers to the Treasurer provides freedom for the Treasurer to manage the ESC's finances and frees the Board to devote its time to policy-making and appraisal functions.

The Board holds the Treasurer responsible for the administration of its financial policies, the execution of Board decisions and keeping the Board informed about ESC financial issues and concerns.

The Board strives to procure the best financial leadership available. The Board, as a whole and as individual members:

1. gives the Treasurer full authority for properly discharging his/her professional duties, holding him/her responsible for acceptable results;
2. refers all complaints of the Treasurer's staff to the Treasurer for appropriate investigation and action and
3. strives to provide adequate safeguards for the Treasurer and other staff members so that they can discharge their duties on a thoroughly professional basis.

[Adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.20(A); 3313.22; 3313.31

CROSS REFS.: BCC, Qualifications and Duties of the Treasurer
BCCB, Evaluation of the Treasurer (also AFBA)
BCCC, Treasurer's Contract

BOARD-SUPERINTENDENT RELATIONSHIP

The Board believes that, in general, it is the primary duty of the Board to establish policies and that of the Superintendent to administer such policies. Policy should not be originated or changed without the recommendation of the Superintendent, while the Superintendent should be given the latitude to determine the best method of implementing the policies of the Board.

The Superintendent, as the chief administrative officer of the ESC, is the primary professional advisor to the Board. He/She is responsible for the development, supervision and operation of the school program and facilities. His/Her methods should be made known to the staff through the administrative procedures of the ESC. The Board shall retain oversight supervision of such procedures.

The Board is responsible for determining the success of the Superintendent in meeting the goals established by the Board through annual evaluations of the Superintendent's performance. The Board, in formulating its position with regard to the performance of the Superintendent, shall rely on the objective outcomes of its evaluations rather than on subjective opinions.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.20(A)
3319.01

CROSS REFS.: AFB, Evaluation of the Superintendent (Also CBG)
BDC, Executive Sessions
CBC, Superintendent's Contract

BOARD COMMITTEES

The Board may authorize the establishment of committees from among its membership as it finds such action necessary to study operations in specific areas and to make recommendations for Board action.

The following guidelines may govern the appointment and function of Board committees.

1. The committee will be established through action of the Board.
2. The chairman and members will be named by the Board President.
3. The committee may make recommendations for Board action but may not act for the Board unless specifically authorized.
4. The Board President and Superintendent will be ex officio members of all committees.
5. No committee appointments will extend beyond the ensuing annual organizational meeting, at which time the newly elected President will have the privilege of making new appointments or re-appointments; however, a committee may be dissolved at any time by a majority vote of the entire Board.
6. The Sunshine Law (Open Meetings) and its exceptions apply to Board meetings, Board-appointed committee meetings and subcommittee meetings.

[Adoption date: December 7, 1996]

[Re-adoption date: April 24, 2000]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REF: ORC 121.22(B)

CROSS REFS.: ABA, Community Involvement in Decision Making (Also KC)
ABB, Staff Involvement in Decision Making (Also GBB)
BCB, Board Officers
BCFA, Business Advisory Committee to the Board
BDC, Executive Sessions
BDDG, Minutes
BDDH, Public Participation at Board Meetings (Also KD)

BUSINESS ADVISORY COUNCIL TO THE BOARD

The Board shall appoint a Business Advisory Council whose membership and organization shall be determined by the Board.

The Board and council adopt and file with the Ohio Department of Education, an annual plan under which the council advises and provides recommendations to the Board on matters specified by the Board, including, but not necessarily limited to, the delineation of employment skills, the development of curriculum to instill these skills, changes in the economy and in the job market and the types of employment in which future jobs are most likely to be available. This council also makes suggestions for developing a working relationship among businesses, labor organizations and educational personnel.

The council meets with the Board at least quarterly. The Board and council file a joint statement by March 1 each year describing how they have fulfilled their responsibilities.

Meetings of the Business Advisory Council to the Board fall under the auspices of the Open Meetings Act (Sunshine Law).

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

[Re-adoption date: June 25, 2018]

LEGAL REFS.: ORC 121.22(B)
3313.174
3313.82
3313.821

CROSS REFS.: BCE, Board Committees
BCF, Advisory Committees to the Board
BCFB, Family and Civic Engagement Committee

EDUCATIONAL SERVICE CENTER ATTORNEY

The Board may employ legal counsel as necessary and pay for legal services from Educational Service Center funds.

The counsel will advise the Board and its officials on legal matters relating to them and their powers.

The Board may adopt a resolution providing for the employment of legal counsel and setting compensation for the various kinds of legal services to be rendered.

In engaging legal counsel, the Board may require submission of a written proposal which can be incorporated into a contract or purchase order if it satisfies the wishes of the Board. Proposals could detail:

1. specific objectives to be accomplished by the counsel;
2. specific tasks to be performed;
3. procedures to be used in carrying out the tasks;
4. target dates for the completion of tasks;
5. methods to be used to report results to the Board and/or to deliver any product or render any service to the Board and
6. fees or rate of pay the Board will be charged.

The Board will establish procedures necessary to effect an efficient working relationship between the counsel and the Board and/or staff members. The Board appoints the Superintendent to designate which staff members are authorized to consult Board counsel without prior approval.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 309.10
3313.35
3319.33

CROSS REF.: Staff Handbooks

BOARD MEETINGS

The Board transacts all business at official meetings of the Board. These may be either regular or special meetings. At the organizational meeting, the Board shall fix the time for holding its regular meetings which shall be held at least once every two months. Special meetings are called between the regularly scheduled meetings to consider specific topics.

All regular and special Board meetings and Board appointed committee meetings are open to the public. All Board meetings are publicized and conducted in compliance with the Open Meetings Act. No action may be taken by the Board in executive session.

A member of the Board may participate in a Board meeting by means of a telephone or video conference or by any means of communication by which all persons participating in the meeting are able to communicate with one another. A member of the Board who participates in this meeting may not vote at the meeting and will not be counted for purposes of determining whether a quorum is present and will not receive compensation.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

[Re-adoption date: December 13, 2013]

LEGAL REFS.: ORC 121.22(B), 121.22(c)
3313.14; 3313.15; 3313.16

CROSS REFS.: BCA, Board Organizational Meeting
BCE, Board Committees
BDC, Executive Sessions
BDDA, Notification of Meetings
BDDF, Voting Method
BDDH, Public Participation at Board Meetings (Also KD)
BDDJ, Broadcasting and Taping of Board Meetings (Also KBCD)

EXECUTIVE SESSIONS

Educational matters should be discussed and decisions made at public meetings of the Board. Some matters are more properly discussed by the Board in executive session. As permitted by law, such matters may involve:

1. the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of an employee, official or student or the investigation of charges or complaints against such an individual, unless an employee, official or student requests a public hearing. the Board will not hold an executive session for the discipline of one of its members for conduct related to the performance of his/her official duties or for his/her removal from office);
2. the purchase of property for public purposes or for the sale of property at competitive bidding, if premature disclosure or information would give an unfair advantage to a person whose personal, private interest is adverse to the general public interest;
3. specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law;
4. matters required to be kept confidential by Federal law or State statutes;
5. preparing for, conducting or reviewing negotiations with public employees concerning their compensation or other terms and conditions of their employment;
6. in-person conferences with an attorney for the Board concerning disputes involving the Board that are subject of pending or imminent court action or;
7. consideration of confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets or personal financial statements of an applicant for economic development assistance, or negotiations with other political subdivisions respecting requests for economic development assistance provided that:
 - A. the information is directly related to a request for economic development assistance that is to be provided or administered under provisions of State law authorized in Ohio Revised Code Section 121.22(G)(8)(1), or involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project and

- B. a unanimous quorum of the Board has determined by a roll call vote the executive session is necessary to protect the interests of the applicant or possible investment or expenditure of public funds to be made in connection with the economic development project.

Conferences with a member of the office of the State Auditor or an appointed certified public accountant for the purpose of an audit are not considered meetings subject to the Open Meetings Act (Sunshine Law).

The Board meets in executive session only to discuss legally authorized matters. Executive sessions are held only as part of a regular or special meeting and only after a majority of the quorum determines, by a roll-call vote, to hold such a session.

When the Board holds an executive session for any of the reasons stated above, the motion and vote to hold the executive session shall state one or more of the purposes listed under such paragraph for which the executive session is to be held, but need not include the name of any person to be considered within the executive session. The minutes shall reflect the information described above.

In compliance with law, no official action may be taken in executive session. To take final action on any matter discussed, the Board will reconvene into public session.

The Board may invite staff members, or others to attend executive sessions at its discretion.

Board members shall not disclose or use, without appropriate authorization, any information acquired in the course of official duties (which is confidential because of statutory provisions) or which has been clearly designated as confidential because of the status of proceedings or the circumstances under which the information was received.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

[Re-adoption date: December 13, 2013]

LEGAL REFS.: ORC 102.03
121.22

CROSS REFS.: AFBA, Evaluation of the Treasurer (Also BCCB)
BCD, Board-Superintendent Relationship (Also CBI)
BCE, Board Committees
BCF, Advisory Committees to the Board

File: BDC

BD, Board Meetings

BDDG, Minutes

KBA, Public's Right to Know

KLD, Public Complaints about District Personnel

NOTIFICATION OF BOARD MEETINGS

Due notice of all official meetings of the Board, as well as Board-appointed committee meetings, will be given to the press, the public and all Board members.

Organizational Meeting: Notice of organizational meetings, including any special or regular meeting following the organizational meeting, is given in the same manner as notice for regular and special meetings of the Board (see below).

Regular Meetings: A notice of the time and place of regularly scheduled meetings is given to the media who have requested notification and to those individuals requesting advance personal notice.

Special Meetings: A special meeting may be called by the President, the Treasurer or any two members of the Board by serving written notice of the time and place of the meeting upon each Board member at least two days before the date of the meeting. The notice must be signed by the officer or members calling the meeting. Notice by mail is authorized. Notice of the time, place and purpose must also be given at least 24 hours in advance of the meeting to all news media and individuals who have requested such notice.

Emergency Meetings: In the event of any emergency, the media is notified immediately of the time, place and purpose of the meeting.

Personal Notice of Meetings: Any person who wishes to receive advance personal notice of regular or special meetings of the Board may receive the advance notice by requesting that the Treasurer include his/her name on a mailing list and by providing the Treasurer with a supply of stamped, self-addressed envelopes.

Cancellation: Occasionally, regular or special meetings of the Board must be canceled. Meetings can be canceled for any reason. When a meeting is to be canceled, the Treasurer notifies Board members and all media and individuals who have requested notification of such meetings. Notice of cancellation is also prominently posted at the meeting site. This notice includes the new date of a rescheduled meeting, if possible.

[Adoption date: December 7, 1996]

[Re-adoption date: April 24, 2000]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

[Re-adoption date: May 22, 2023]

LEGAL REFS.: ORC 121.22(B)
3313.14; 3313.15; 3313.16

CROSS REFS.: BCA, Board Organizational Meeting
BCE, Board Committees
BD, Board Meetings

Educational Service Center of Medina County, Medina, Ohio

AGENDA FORMAT/AGENDA PREPARATION AND DISSEMINATION

The Superintendent, in consultation with the President of the Board, will arrange the order of items on meeting agendas so that the Board can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping with the business at hand.

Items of business may be suggested by a Board member, staff member or citizen of the ESC. The agenda will always allow suitable time for the remarks of the public who wish to speak briefly before the Board.

The Board will follow the order of business established by the agenda, except as it may vote to re-arrange the order for the convenience of visitors or other individuals appearing before the Board or to expedite Board business. An item of business which is not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item. The Board, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, will be distributed to Board members at least 72 hours prior to the Board meeting to permit them to give items of business careful consideration. The agenda will also be made available to the press, representatives of community, staff groups and to others upon request.

Consent Agenda

In order to use time within the Board meetings more efficiently, the Board may use a consent agenda, whenever appropriate. Items placed on the consent agenda are routine in nature and typically appear on the Board's agenda every month. Board minutes and monthly expenses are two examples of what may be considered consent agenda items.

When the consent agenda is presented to the Board for action, the Board President provides the opportunity for any member of the Board or the Superintendent to request a discussion or removal of any items on the agenda. Items removed are placed on the regular agenda or tabled. Remaining items on the consent agenda are then voted on by a single motion.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

CROSS REFS.: BDDA, Notification of Meetings
BDDH, Public Participation at Board Meetings (Also KD)

VOTING METHOD

All votes taken by the Board will be recorded in the official proceedings of the meeting.

To comply fully with State law, roll-call votes will be made on resolutions pertaining to the following:

1. any action on which a Board member requests a roll-call vote and
2. re-employment of a teacher against the Superintendent's recommendation.

The following actions require a roll-call vote and an affirmative vote by a majority of the full membership of the Board for passage.

1. purchase or sale of real or personal property;
2. employment of any school employee;
3. election or appointment of an office;
4. payment of any debt or claim and
5. adoption of any textbook.

For passage, most other actions will require an affirmative vote by a majority of those present and voting. Board members must be physically present at the meeting in order to vote.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.11; 3313.18; 3313.22; 3313.23; 3313.66(E)
3315.17(D)(2)
3319.01; 3319.011; 3319.06; 3319.07; 3319.11
3329.08
4117.14(C)(6)
5705.14; 5705.16; 5705.21

CROSS REF.: BD, Board Meetings

VOTING METHOD
(5-Member Board)

ITEM	# NEEDED	REFERENCE ORC
Declare it necessary to issue bonds	3 (a)	133.18 133.01(U)
Declare, by remaining members, that reasons for a member's absence for 90 days are insufficient to continue membership	3 (e)	3313.11
Fill a vacant Board seat (majority of remaining members)	3 (f)	3313.11
Purchase or sell real estate	3 (a)	3313.18
Appoint any employee	3 (a)	3313.18
Elect or appoint an officer	3 (a)	3313.18
Pay any debt or claim	3 (a)	3313.18
Adopt textbook	3 (a)	3313.18
Dispense with resolution authorizing purchase or sale of personal property, appointment of employees, etc., if annual appropriation resolution has been adopted by a majority of full membership	3 (a)	3313.18
Remove the Treasurer at any time for cause	4 (b)	3313.22
Appoint Treasurer Pro Tempore	3 (a)	3313.23

Determine that Treasurer's incapacity is removed	3 (a)	3313.23
Remove Treasurer Pro Tempore at any time for cause	4 (b)	3313.23
Affirm, reverse, vacate or modify an order of student expulsion; reinstate a student	3 (a)	3313.66 (E)
Employ or re-employ a superintendent	3 (a)	3319.01
Appoint Superintendent Pro Tempore	3 (a)	3319.011
Remove Superintendent Pro Tempore at any time for cause	4 (b)	3319.011
Suspend or remove Business Manager	4 (b)	3319.06
Re-employ any teacher who the Superintendent refuses to recommend for re-employment	4 (c)	3319.07
Re-employ a teacher not nominated by the Superintendent	3 (a)	3319.07
Reject the recommendation of the Superintendent that a teacher eligible for continuing contract be granted a continuing contract	4 (c)	3319.11
Determine, at a regular meeting, which textbooks shall be used in the schools under its control	3 (a)	3329.08
Declare the necessity for certain transfers of funds	3 (a)	5705.16

Levy a tax outside 10-mill limitation (not emergency)	4 (b)	5705.21
Reject findings and recommendations of fact-finding panel by Board or employee organization under statutory impasse resolution procedure	3 (g)	4117.14(C)(6)
Waiver of textbook and material fund transfer restriction*	5 (h)	3315.17(D)(2)

KEY

- (a) Majority of full membership
- (b) 2/3 of full membership
- (c) 3/4 of full membership
- (d) 4/5 of full membership
- (e) 2/3 of remaining members of the Board
- (f) Majority of remaining members of the Board
- (g) 3/5 of full membership
- (h) Unanimous vote of full membership

SOURCE: Business Administration for Public Schools
Published by the Ohio School Boards Association

*The number used is based upon the number of members on the Board.

MINUTES

The minutes of the meetings of the Board constitute the written record of Board actions. The Treasurer will record in the minutes of each meeting all actions taken by the Board. Minutes of executive sessions need only reflect the general subject matter of discussion.

Minutes will specify: the nature of the meeting (regular or special), time, place, members present, approval of minutes of the preceding meeting or meetings; complete record of official actions taken by the Board relative to the Superintendent's recommendations, communications and all business transacted; items of significant information bearing on action and record of adjournment.

The Treasurer will include the motion, the name of the member making the motion and the name of the member seconding the motion and record the vote of each member present.

A complete and accurate set of minutes will be prepared and become a regular part of the monthly agenda. The Treasurer shall provide each Board member with a copy of the minutes of the last meeting no later than three days before the next regular meeting. The Treasurer must make copies of proposed minutes available for public inspection. The minutes will be signed by the President and attested to by the Treasurer following approval of the minutes by the Board at the next meeting.

The official minutes will be bound and kept in the office of the Treasurer, who will, after they have been approved by the Board, make them available to interested citizens upon request at cost, during normal office hours.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 121.22(C)
149.43
3313.26

CROSS REFS.: BCE, Board Committees
BD, Board Meetings
BDC, Executive Sessions
KBA, Public's Right to Know

PUBLIC PARTICIPATION AT BOARD MEETINGS

All meetings of the Board and Board-appointed committees will be open to the public.

In order for the Board to fulfill its obligation to complete the planned agenda in an effective and efficient fashion, a maximum of 30 minutes of public participation will be permitted at each meeting.

Each person addressing the Board will give his/her name and address. If several people wish to speak, each person will be allotted three minutes until the total time of 30 minutes is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. Persons desiring more time should follow the procedure of the Board to be placed on the regular agenda. The period of public participation may be extended by a vote of the majority of the Board.

Agendas will be made available to all those who attend Board meetings. Noted on each agenda will be a short paragraph outlining the Board's policy on public participation at Board meetings.

All statements shall be directed to the presiding officer; no participant may address or question Board members individually. The presiding officer may interrupt, warn or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene or irrelevant; request any individual to leave the meeting when that person does not observe reasonable decorum; request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting; and call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.

[Adoption date: December 7, 1996]

[Re-adoption date: April 24, 2000]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 121.22(C)
3313.20(A)

CROSS REFS.: BCE, Board Committees
BD, Board Meetings
BDDB, Agenda Format
BDDC, Agenda Preparation and Dissemination
BG, Board-Staff Communications (Also GBD)

BROADCASTING AND TAPING OF BOARD MEETINGS

Photographic and electronic audio and video broadcasting and recording devices may be used at regular and special Board meetings legally open to the public according to the following guidelines.

1. Persons interested in taking photographs, broadcasting or recording board meetings should notify the Board of their interest in doing so.
2. Persons operating cameras, broadcasting and/or recording devices must do so with a minimum of disruption to those present at the meeting. Specifically, the view between Board members and the audience must not be obstructed, interviews must not be conducted during the meeting and no commentary is to be given in a manner that distracts Board members or the audience.
3. The Board has the right to halt any recording that interrupts or disturbs the meeting.

The Board may make the necessary arrangements to make audio and/or video recordings of all regular meetings and any special meeting that it deems appropriate.

[Adoption date: February 22, 1999]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

[Re-adoption date: June 25, 2018]

LEGAL REFS.: U.S. Const. Amend. I

ORC 121.22

2911.21

2917.12

2921.31

3313.20(A)

CROSS REFS.: BD, School Board Meetings

BDDH, Public Participation at Board Meetings (Also KD)

POLICY ADOPTION

The adoption of new policies or the changing or repealing of existing policies is solely the responsibility of the Board. Policies, including the Board's bylaws, will be adopted, amended or repealed only by the affirmative vote of a majority of the members of the entire Board. Such action shall be scheduled on the agenda of a regular or special meeting.

Proposals for a new policy or for the amendment or repeal of an existing policy will be submitted in writing to the Superintendent for submission to the Board. Readings at two separate meetings will normally be required before a new policy or a policy amendment is adopted. Action to adopt will take place at a subsequent or third meeting of the Board. The Board does have the option of voting for adoption at the second meeting.

Unless otherwise specified, a new policy or policy amendment will be effective upon the date of adoption by the Board and will supersede all previous policies in that area. Unless otherwise specified, the repeal of a policy will be effective on the date the Board takes such action.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REF.: ORC 3313.20(A)

CROSS REFS.: AD, Development of Philosophy of Education
BFCA, Board Review of Regulations (Also CHB)
BFD, Policy Dissemination
BFE Administration in Policy Absence (Also CHD)
BFF, Suspension of Policies
BFG, Policy Review and Evaluation
CH, Policy Implementation

BOARD REVIEW OF REGULATIONS

When appropriate, the Board will review regulations developed by the administration to implement policy. The Board will revise or veto such regulations only when they are inconsistent with policies adopted by the Board or when they are not in the best interest of the ESC.

Before issuance regulations will be properly titled and coded as appropriate to subject and in conformance with the codification system selected by the Board. Those officially approved by the Board will be so marked; all others appearing in the manual will be considered approved, provided they are in accordance with the accompanying Board policy.

The Board may review regulations developed by the administration to implement policy. The Board revises or nullifies these administrative regulations only when they are inconsistent with policies adopted by the Board or when they are not in the best interest of the ESC.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REF.: ORC 3313.20(A)

CROSS REF.: CH, Policy Implementation

POLICY DISSEMINATION

The Board wishes to make this manual of bylaws and policies a useful guide to all members of the Board, the administration and all personnel employed by the ESC; therefore, copies of this manual shall be given to the following.

1. Board members
2. Superintendent
3. Board Counsel
4. Treasurer

Copies of this manual shall be maintained by the Treasurer. Each holder of a policy manual shall return the same to the Treasurer upon the termination of his/her service with the ESC. The Superintendent shall maintain a master policy manual, which shall be the official record of the bylaws and policies adopted by the ESC.

The manual of bylaws and policies shall be considered a public record and shall be open for inspection in the Board offices during regular office hours.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.20
OAC 3301-35-02(C)(2)

ADMINISTRATION IN POLICY ABSENCE

In the absence of Board policy, the Superintendent may take temporary action which would be in accordance with the overall policy of the Board; however, the Superintendent will not be free to act when the action involves a duty of the Board, which by law cannot be delegated.

In each case, the Superintendent will present the matter to the Board for its consideration at its next meeting.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.18; 3313.20(A)

SUSPENSION OF POLICIES

If the Board wishes to take action contrary to existing policy, it may suspend the policy only for one meeting at a time and only in one of the following ways:

1. upon a majority vote of the full membership of the Board at a meeting in which the proposed suspension has been described in writing; or
2. upon a unanimous vote of all members of the Board if no notice has been given.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REF.: ORC 3313.20(A)

POLICY REVIEW AND EVALUATION

In an effort to keep its written policies current so that they may be used consistently as a basis for Board action and administrative decision, the Board will review its policies on a continuing basis.

The Board will evaluate how the policies have been executed by the staff and will weigh the results. It will rely on the staff and the community for providing evidence of the effect of the policies which it has adopted.

The Superintendent is given the continuing responsibility of calling to the Board's attention all policies that are outdated or for other reasons appear to need revision. To accomplish this, the Superintendent may request input from the Board or advisory committee.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

CROSS REF.: AD, Development of Mission Statement

BOARD-STAFF COMMUNICATIONS

The Board wishes to maintain open channels of communication with the staff. The basic line of communication will be through the Superintendent. The basic line of communication between the Board and the staff is through the Superintendent. Staff members should utilize the Superintendent to communicate to the Board or its subcommittees. All official communications, policies and directives of staff interest and concern are communicated to staff members through the Superintendent. The Superintendent develops appropriate methods to keep staff members informed of the Board's issues, concerns and actions.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REF.: ORC 3313.20(A)

CROSS REFS.: AFA, Evaluation of Board Operational Procedures (Also BK)
BDDH, Public Participation at Board Meetings (Also KD)

NEW BOARD MEMBER ORIENTATION

The Board will provide an orientation program for its members-elect. The primary purpose of this program will be to acquaint the members-elect with the procedures of the Board and the scope of its responsibilities and to assist them to become informed and active Board members.

The following techniques may be employed to orient new Board members.

1. Immediately after the general election, the member-elect will be invited by the Board to attend Board meetings.
2. The Treasurer will provide agendas and other materials pertinent to meetings and explain the use of the materials.
3. Selected materials, Board policies, regulations and other helpful information will be furnished the member-elect by the Superintendent.
4. The incoming member will be invited to meet with the Superintendent and other administrative personnel.
5. The Board will make an effort to send newly elected members to workshops and in-service programs developed for new members.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.12
3315.15

CROSS REFS.: BHBA, Board Conferences, Conventions and Workshops
BHD, Board Member Compensation and Expenses

BOARD CONFERENCES, CONVENTIONS AND WORKSHOPS

In keeping with the need for continuing in-service training and development for its members, the Board encourages the participation of all members at appropriate Board conferences, workshops and conventions; however, in order to control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance.

1. The Board will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the ESC.
2. Funds for participation at such meetings will be appropriated on an annual basis. When funds are limited, the Board will designate which of its members will participate in a given meeting.
3. Reimbursement to Board members for their travel expenses will be in accordance with the Board's travel expense policy.
4. When a conference, convention or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations and materials acquired at the meeting.

Board members may receive compensation for attending Board-approved training programs. A Board member desiring to attend a training program should have the Board take action to approve each training program. Compensation amounts are determined by the length of the program. A program of three hours or less may be compensated at a rate of \$60 per day. A program of more than three hours may be compensated at a rate of \$125 per day.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: ORC 3313.12
3315.15
5705.01; 5705.10

CROSS REFS.: BHA, New Board Member Orientation
BHD, Board Member Compensation and Expenses
DLC, Expense Reimbursements

BOARD MEMBER COMPENSATION AND EXPENSES

As permitted by law, the Board votes prior to January 1 to set the rate of compensation for the newly elected or re-elected members of the Board. Compensation for Board members may not be changed during their terms of office. Changes in compensation for Board members must be made prior to the beginning of their respective terms.

Board members will receive the maximum amount permitted by law for 13 meetings.

Each Board member is permitted to request coverage for themselves and/or families in the ESC's group health, dental, life and vision insurance plans. This coverage is permissible only at the Board member's expense and must be announced at a regular meeting and recorded in the minutes. This does not constitute conflict of interest" in any contract.

Mileage Reimbursement

Board members will be reimbursed for all ESC Travel at the rate established for all ESC employees at the January Organizational meeting.

Board Service Fund

A Board "service fund" is established to pay expenses actually incurred by Board members or members-elect in their official duties. The sum set aside will not exceed the maximum amount permitted by law. This fund is used at the Board's discretion to provide for members' participation in workshops and conferences, for new Board member orientation and development, and for other expenses in connection with assigned duties as permitted by law, including those made for a public purpose as defined below.

Spending Guidelines: Definition of Public Purpose

The Board recognizes that expenditure of funds within the ESC must fall within the scope of serving a public purpose as defined by State law. It is the Board's determination that the following expenditures are a necessary part of the effective function of the extracurricular and cocurricular programs concerned, once reviewed and approved by the Superintendent.

1. awards
2. recognition and incentive items for employees and/or volunteers
3. prizes/awards/programs for students through student activity funds

The purpose of this policy is to permit the Superintendent, at the discretion of the Board, to honor its employees and nonemployees with plaques, pins, and other tokens of appreciation to include meals, refreshments, or other amenities which further the interest of the ESC.

The Board affirms that the expenses incurred as listed above do serve public purposes which include the promotion of education by encouraging staff morale as well as support for the ESC's educational program with citizens, members of the business community, advisory committee members, and associated school districts. Expenditures are subject to approval by the Superintendent.

Travel Vendor Compensation

Any compensation paid by a private travel vendor to a ESC official or employee, after the official or employee has participated in selecting the vendor to provide a field trip, is considered "public money" and must be returned to the ESC.

[Adoption date: December 7, 1996]

[Re-adoption date: April 26, 2004]

[Re-adoption date: October 24, 2005]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

LEGAL REFS.: Ohio Const. Art. II, Section 20

ORC 3311.19

3313.12

3315.15

5705.01; 5705.10

CROSS REFS.: BCA, Board Organizational Meeting

BHA, New Board Member Orientation

BHBA, Board Conferences, Conventions and Workshops

DLC, Expense Reimbursements

GBI, Staff Gifts and Solicitations

BOARD LEGISLATIVE PROGRAM

The Board recognizes the importance of sound and constructive State legislation in establishing support for public education. It is therefore directly concerned with legislative proposals affecting education.

The Board's legislative liaison member will report to the Board on State legislative proposals and will communicate the Board's positions and/or the Ohio School Boards Association's positions to State representatives and senators.

The legislative liaison member will also keep the Board informed of pertinent Federal legislative proposals and, when necessary, communicate the Board's position to representatives and senators at the national level.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

CROSS REF.: BCA, Board Organizational Meeting

EVALUATION OF BOARD OPERATIONAL PROCEDURES

The Board may plan and carry through an appraisal of its functioning as a board. This appraisal will consider the broad realm of relationships and activities inherent in Board responsibilities.

The appraisal process and instrument will be determined by the Board. The following are areas of Board operations and relationships representative of those in which objectives may be set and progress appraised.

1. Board meetings
2. policy development
3. fiscal management
4. long range/strategic planning
5. Board role in educational program development
6. Board member orientation
7. Board member development
8. Board officer performance
9. Board-Superintendent relationships
10. Board-Treasurer relationships
11. Board-staff relationships
12. Board-community relationships
13. legislative and governmental relationships
14. management team development and utilization

The Superintendent and others who regularly work with the Board may be asked to participate in establishing objectives and reviewing progress.

[Adoption date: December 7, 1996]

[Re-adoption date: October 29, 2007]

[Re-adoption date: September 26, 2011]

CROSS REFS.: AF, Commitment to Accomplishment
BA, Board Operation Goals
BCB, Board Officers
BCD, Board-Superintendent Relationship (Also
CBI) BD, Board Meetings
BHA, New Board Member Orientation
DA, Fiscal Management Goals