

## SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATIONS

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## BOARD OPERATION GOALS

The primary responsibility of the Board is to establish purposes, programs and procedures that produce the educational achievement needed by District students. The Board is also responsible for wise management of resources available to the District. 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. The Board carries out its functions openly, while seeking the involvement and contributions of the public, students and staff in its decision-making processes.

In accordance with these principles, the Board seeks to achieve the following goals to:

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

[Adoption date: October 22, 2013]

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

CROSS REF.: AFA, Evaluation of School 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 Board of the Coldwater Exempted Village School District is composed of five members elected by the citizens of the District. A regular term is four years.

[Adoption date: October 22, 2013]

[Re-adoption date: February 14, 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

*NOTE: A statement under this code is usually statutory and informational in nature, not a "policy" in the strict sense of the word. Included under this code are the number of board members and the length of a regular term.*

*A local district should cite Ohio Revised Code Section (RC) 3311.03 and 3313.01; a city district should cite RC 3311.02 and 3313.02; an exempted village school district should cite RC 3311.04. Joint vocational school districts (JVSD) should refer to RC 3311.19, and educational service centers should refer to RC 3311.05 and 3313.01.*

*Senate Bill 3 (2016) revised several of the requirements made by House Bill (HB) 59 (2013), impacting the governance structure of JVSD boards. Members are to be appointed to a JVSD board for a three-year term and no longer are limited to two consecutive terms. SB 3 also removed specific qualifications board members must meet. A member must be appointed by the appointing district in accordance with the JVSD plan and the member may be:*

- *a current elected board member of a JVSD member school board or*
- *an individual who has experience or knowledge regarding the labor needs of the state and region with an understanding of the skills, training and education needed for current and future employment opportunities in the state.*

*Preference may be given to qualified individuals who have served on a JVSD business advisory committee. SB 3 also allows any JVSD board to submit an application to the State Superintendent of Public Instruction for approval to revise its membership plan to stagger the members' terms of office.*

## SCHOOL BOARD POWERS AND DUTIES

Under the laws of the state of Ohio, the Board acts as the governing body of the public schools. Within the extent of its legal powers, the Board has responsibilities for operating the District in accordance with the desires of local citizens who elect its members.

The Board's major responsibilities are to:

1. select and employ a Superintendent;
2. select and employ a Treasurer;
3. determine and approve the annual budget and appropriations;
4. provide needed facilities;
5. provide for the funds necessary to finance the operation of the District;
6. consider and approve or reject the recommendations of the Superintendent in all matters of policy, appointment or dismissal of employees, salary schedules, courses of study, selection of textbooks and other matters pertaining to the operation of the District;
7. require reports of the Superintendent concerning the conditions, efficiency and needs of the District;
8. evaluate the effectiveness with which the District is achieving the educational purposes of the Board;
9. inform the public about the progress and needs of the District and to solicit and weigh public opinion as it affects the District and
10. adopt policies for its governance and the governance of its employees and the students of the District.

[Adoption date: October 22, 2013]

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, School Board Legal Status  
BBAA, Board Member Authority

BOARD MEMBER AUTHORITY  
(And Duties)

Because all powers of the Board lie in its action as a group, individual members exercise their authority over District affairs only as they vote to take action at a legal meeting of the Board.

An individual Board member acts on behalf of the Board only when, by vote, the Board has delegated authority to the member.

It is the duty of the individual members of the Board to attend all legally called meetings of the Board, except for compelling reasons to the contrary, to participate in normal Board business operations and represent all citizens' interests in matters affecting education.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 121.22  
3313.18; 3313.33

CROSS REF.: BBA, School Board Powers and Duties



## SCHOOL BOARD ELECTIONS

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

Each Board member is elected to a four-year term of office, which begins on the first day of January after the election. Terms 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 one-half of the four-year period, and three elected in the other half.

Candidates for election are nominated by petition. In exempted village school districts, the petition must be signed by 25 qualified electors of the district.

[Adoption date: October 22, 2013]

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 REFS.: BB, School Board Legal Status  
LBB, Cooperative Educational Programs

## BOARD MEMBER QUALIFICATIONS

Under State law, a board member must be an elector residing in the District. 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: March 14, 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

*NOTE: Senate Bill (SB) 3 (2016) revised several of the requirements made by House Bill (HB) 59 (2013), impacting the governance structure of JVSD boards. A member must be appointed by the appointing district in accordance with the JVSD plan and the member may be:*

- *a current elected board member of a JVSD member school board or*
- *an individual who has experience or knowledge regarding the labor needs of the state and region with an understanding of the skills, training and education needed for current and future employment opportunities in the State.*

*Preference may be given to qualified individuals who have served on a JVSD business advisory committee. SB 3 also allows any JVSD board to submit an application to the State Superintendent of Public Instruction for approval to revise its membership plan to stagger the members' terms of office.*

*"Boardmanship," a handbook for school board members published by the Ohio School Boards Association, provides a listing of public positions that are and are not compatible with board membership.*

BOARD MEMBER OATH OF OFFICE

Before entering upon the duties of his/her office, each person elected or appointed a member of the Board takes an oath to support the Constitution of the United States and the state of Ohio and that he/she will perform faithfully the duties of his/her office. Such oath may be administered by the Treasurer, any member of the Board or any person qualified to administer an oath.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 3.24  
3313.10

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 Education of the Coldwater Exempted Village School District, Mercer 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.”

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Member's Signature

UNEXPIRED TERM FULFILLMENT  
(Board Vacancy)

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 District 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 is required to fill the vacancy.

Each person selected to fill a vacancy holds office:

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 is held. No such special election is 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 begins on the first day of January following the election and is for the remainder of the unexpired term.)

The shorter of the above options determines the length of office.

[Adoption date: October 22, 2013]

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

## BOARD MEMBER CODE OF ETHICS

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

It is unethical for a board member to:

1. seek special privileges for personal gain;
2. personally assume unauthorized authority;
3. criticize employees publicly;
4. disclose confidential information;
5. place the interest of one group or community above the interest of the entire District;
6. withhold facts from the Superintendent, particularly about the incompetency of an employee or
7. announce future action before a proposition has been discussed by the Board.

[Adoption date: October 22, 2013]

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 on November 11, 1991 and remains unchanged.

## BOARD MEMBER CONFLICT OF INTEREST

The Board and individual members 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 District; will not furnish for remuneration any labor, equipment or supplies to the District; 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 District;
2. the supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the District as part of a continuing course of dealing established prior to the Board member's becoming associated with the District;
3. the treatment accorded the District 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 deliberations or decision with respect to the public contract.

The law specifically forbids:

1. the prosecuting attorney or the city attorney from serving on this Board;
2. a Board member from serving as the school dentist, physician or nurse;
3. a Board member from being employed for compensation by this Board;
4. a Board member from having, directly or indirectly, any pecuniary interest in any contract with this Board;
5. a Board member from voting on a contract to employ a person as a teacher or instructor if he/she is related to that person as father, mother, brother, sister or spouse;

6. a Board 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 Board member from having an interest in the profits or benefits of a public contract entered into by, or for the use of, the District and
8. a Board 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 a board of which he/she was a member at the time of authorization of that contract.

[Adoption date: August 10, 2016]

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

*NOTE: Generally, the substance of a policy in this area is established by law; however, portions may be Board policy, as in the sample policy above.*

*Ohio's Ethics Laws apply to all public officials, including board members, administrators and all district employees. It is important that all school officials and employees are aware that Ohio's Ethics Laws prohibit public officials from:*

- *hiring a family member for a public job;*
- *using his or her position to get a family member a public job or contract or*
- *using his or her position to get promotions, raises or other job-related benefits for family members.*

*Family members, for purposes of the Ethics Law, are: husband or wife, child or grandchild, parent or grandparent, brother or sister, stepchild or stepparent, or any other person related to the official by blood or marriage who lives in the official's household.*

## BOARD ORGANIZATIONAL MEETING

In compliance with law, the Board meets within the first 15 days 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 canvasses the new Board prior to December 31 of each year to establish the date of the organizational meeting. The Board appoints a president pro tempore from its membership.

### Meeting Procedures

1. The President Pro Tempore calls the meeting to order.
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 for the record where and when this oath was taken. 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 then presides over the election of the President.
4. The newly elected President assumes the chair.
5. The Board proceeds with items of annual business such as:
  - A. setting the dates and times of regular Board meetings;
  - B. appointing of legal counsel for the ensuing calendar year;
  - C. purchasing liability insurance for Board members;
  - D. appointing a legislative liaison;
  - E. adopting a budget for new fiscal year (before January 15);
  - F. securing performance bonds for the Superintendent and Treasurer;
  - G. establishing a Board service fund and
  - H. approving membership to accredited associations.
6. Upon conclusion of annual business, the Board enters into such regular or special business as appears on the agenda for the meeting.

[Adoption date: October 22, 2013]

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, School Board Meetings  
BHD, Board Member Compensation and Expenses

## BOARD OFFICERS

### President

The President presides at all meetings of the Board and performs other duties as directed by State law and Board policy. In carrying out these responsibilities, the President:

1. is responsible for the orderly conduct of all Board meetings;
2. calls special meetings of the Board as necessary;
3. appoints Board committees, is an ex officio member of all Board committees with the power to vote and is knowledgeable as to the business of the various committees and generally oversees their work;
4. signs all proceedings of the Board after they have been approved;
5. signs all other instruments, acts and orders necessary to carry out Federal and State law requirements and the will of the Board and
6. performs such other duties as may be necessary to carry out the responsibilities of the office.

The President has the right to offer resolutions, to make and second motions, to discuss questions and to vote.

### Vice President

In the absence of the President, the Vice President performs the duties and has the responsibilities and commensurate authority of the President. The Vice President also performs 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 or unable to perform their duties.

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

[Adoption date: October 22, 2013]

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



## INCAPACITY OF THE TREASURER

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 Federal and State law.

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. The Treasurer Pro Tempore may not be a member of the Board.

[Adoption date: October 22, 2013]

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.: BCCB, Evaluation of the Treasurer (Also AFBA)  
BCCC, Treasurer's Contract  
BCCD, Board-Treasurer Relationship

## INCAPACITY OF THE TREASURER

A Treasurer Pro Tempore is appointed by a majority of the members of the Board upon determining that the Treasurer is incapacitated in such a manner that he/she is unable to perform the duties of that office. Incapacity is determined:

1. by request of the Treasurer, if the Treasurer 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 (FMLA);
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 State law, 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 State law.

During the period of incapacity, the Treasurer:

1. at his/her request, is 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 that may be authorized by Board policy;
2. at his/her request, or without such request, pursuant to the FMLA, is placed on unpaid FMLA leave for up to 12 weeks per year or
3. at his/her request, or without such request, pursuant to State law, is placed on a leave of absence without pay.

The leave provided during the period of incapacity (described above) shall not extend beyond the contract or term of office of the Treasurer.

The Treasurer, upon request to the Board, is 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 the Treasurer is capable of resuming such duties and, further, that the duties may be resumed on a full-time basis.

The Board may demand that the Treasurer return to active service. Upon the determination that the Treasurer is able to resume his/her duties, the Treasurer returns to active service.

The Treasurer may request a hearing before the Board on actions as indicated above taken under this policy and has the same rights in such hearing as are granted pursuant to State law.

The Treasurer Pro Tempore performs 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.

The Board fixes the compensation of the Treasurer Pro Tempore in accordance with State law and he/she serves until the Treasurer's incapacity is removed or until the expiration of the Treasurer's contract or term of office, whichever is earlier.

[Adoption date: October 22, 2013]

## 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 District 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 District 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 adopted by the Board.

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

Evaluation criteria are reviewed as necessary or as requested by the Treasurer, but not less frequently than annually. Any proposed revision of the evaluation criteria is provided to the Treasurer for his/her comments before its adoption.

This evaluation procedure does not create an expectancy of continued employment. Nothing contained herein prevents the Board from making any final determination regarding the renewal or nonrenewal of the Treasurer's contract.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 3313.22  
3319.16

CROSS REFS.: AF, Commitment to Accomplishment  
BCCA, Incapacity of the Treasurer  
BCCC, Treasurer's Contract  
BCCD, Board-Treasurer Relationship  
BDC, Executive Sessions

## 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 is appointed for a term not to exceed five years. The term commences on August 1 and continues through July 31 of the year in which the contract expires. Should a vacancy occur mid-term, the Board can appoint a new hire to a term starting on any date – as long as the length of the contract does not exceed five years from the prior August 1. The period of time in which the Treasurer's contract may be renewed begins on January 1 of the year prior to the contract's expiration and ends on March 1 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 District employees.

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

If the Board intends to non-renew 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 Treasurer is automatically disqualified from service if he/she fails to maintain his/her license. The Board may permit an individual who does not possess a valid treasurer's license to serve as District Treasurer as long as the individual meets all qualifications for licensure and has applied for issuance or renewal of his/her 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 22, 2013]

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

CROSS REFS.: 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, and 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 District'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 District financial issues and concerns.

The Board strives to procure the best financial leadership available. The Board:

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 22, 2013]

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

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



## BOARD-SUPERINTENDENT RELATIONSHIP

The enactment of policies consistent with long-term goals is the most important function of the Board, and the execution of the policies should be the function of the Superintendent and his/her staff.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the District within the Board's policies and frees the Board to devote its time to policy-making and appraisal functions.

The Board holds the Superintendent responsible for the administration of its policies, the execution of Board decisions, the operation of the District and keeping the Board informed about District operations and problems.

The Board strives to procure the best professional leader available as its Superintendent. The Board:

1. gives the Superintendent full administrative authority for properly discharging his/her professional duties, holding him/her responsible for acceptable results;
2. acts in matters of employment or dismissal of personnel after receiving the recommendations of the Superintendent;
3. refers all complaints to the Superintendent for appropriate investigation and action;
4. strives to provide adequate safeguards for the Superintendent and other staff members so that they can discharge their duties on a thoroughly professional basis and
5. presents personal criticisms of any employee directly to the Superintendent.

[Adoption date: October 22, 2013]

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 may govern the appointment and function of Board committees.

1. The committee is established through action of the Board.
2. The chairperson and members are 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 are ex officio members of all committees.
5. No committee appointments extend beyond the ensuing annual organizational meeting, at which time the newly elected President has the privilege of making new appointments or re-appointments. A committee may be dissolved at any time by a majority vote.
6. The Open Meetings Act (Sunshine Law) and its exceptions apply to Board meetings and Board-appointed committee and subcommittee meetings.

[Adoption date: October 22, 2013]

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  
BCF, Advisory Committees to the Board  
BCFA, Business Advisory Council to the Board  
BDDG, Minutes  
BDDH, Public Participation at Board Meetings (Also KD)

## ADVISORY COMMITTEES TO THE BOARD

The Board may appoint ad hoc advisory committees to provide consultation services for determining the needs and expectations of the District and its residents. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems and developing recommendations that enhance the effectiveness of the decision-making process.

Specific topics for study or activity are assigned in writing to each committee immediately following its appointment. Committees are instructed as to the length of time each member is being asked to serve, the services the Board wishes rendered, the resources the Board intends to provide and the approximate date on which the Board expects to dissolve the committee.

Each committee serves in an advisory capacity only, proposing recommendations based on analysis of a problem, and exists only as long as is necessary to conduct the study and report to the Board.

The Board gives careful consideration to all recommendations, although final action and responsibility remain with the Board. The Superintendent/designee informs members of the committee of the Board's action.

Upon completing its assignment, each committee is either dissolved promptly or given a new task. Committees are not allowed to continue for prolonged periods without definite assignments. The Board has sole power to dissolve any of its advisory committees and reserves the right to exercise this power at any time during the life of any committee, after seeking the advice of the Superintendent.

All appointments to advisory committees are made by the Superintendent with the approval of the Board.

The Open Meetings Act (Sunshine Law) and its exceptions apply to meetings of advisory committees to the Board.

[Adoption date: October 22, 2013]

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  
BCE, Board Committees  
BCFA, Business Advisory Council to the Board  
BDC, Executive Sessions  
BDDG, Minutes  
IF, Curriculum Development

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: October 22, 2013]  
[Re-adoption date: November 21, 2017]  
[Re-adoption date: March 13, 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

*NOTE: Each school district and educational service center (ESC) must establish a business advisory council except that a school district may enter into an agreement with their ESC to have the ESC business advisory council represent the businesses of the district. Joint vocational school districts are exempt from the requirement to establish a business advisory council under Ohio Revised Code 3313.82 and 3313.821.*

*For the purpose of filing the required joint statement, the Ohio Department of Education recommends posting the statement on the district's website.*

## SCHOOL BOARD ATTORNEY

The Coldwater Exempted Village Board may employ legal counsel in addition to the county prosecuting attorney and pay for legal services from District funds.

The counsel advises the Board and its officials on legal matters.

In engaging legal counsel, the Board may require submission of a written proposal that 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. a list of 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. a fee agreement clearly specifying all fees for legal services and termination rights.

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

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 309.10  
3313.35  
3319.33

## CONSULTANTS TO THE BOARD

In order to pursue its educational mission and also to protect the public's financial investment in the schools, the Board may, from time to time, engage the services of qualified professional consultants to provide new insights and ideas for dealing with especially difficult problems and/or to provide special services that the present staff is unable to provide. The kinds of assistance sought from consultants may include, but are not necessarily limited to:

1. conducting fact-finding studies, surveys and research;
2. providing counsel or services requiring special expertise and
3. assisting the Board in developing policy and program recommendations.

Before engaging any consultant, 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 may detail:

1. specific objectives to be accomplished by the consultant;
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 products or render any service to the Board and/or
6. fees or rate of pay the Board will be charged.

The Board may establish procedures necessary to effect an efficient working relationship between the consultant and the Board and/or staff members.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 3313.171  
3315.061

SPECIAL INFORMATION

The Board or an individual Board member may, from time to time, need additional research before completing a policy or need information about school operation and problems. To gather the information, the Board may ask the Superintendent/designee to report findings and make recommendations.

[Adoption date: October 22, 2013]



## SCHOOL 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 (Sunshine Law). No action may be taken by the Board in executive session.

[Adoption date: October 22, 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 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 of 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 the 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 in 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 reconvenes 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: October 22, 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  
BD, School Board Meetings  
BDDG, Minutes  
KBA, Public's Right to Know  
KLD, Public Complaints About District Personnel

## NOTIFICATION OF MEETINGS

Due notice of all meetings of the Board and Board-appointed committees is given to the press and the public who have requested notification and to all Board members.

Organizational Meetings: 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: October 22, 2013]

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

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

## AGENDA FORMAT

The agenda format is developed by the Superintendent and the Board in order to give direction to the Board meetings.

The tentative agenda, along with related materials and minutes of the previous meeting, is distributed to each member at least 48 hours prior to the Board meeting. The particular order of agenda items may vary from meeting to meeting in keeping with the business at hand.

The agenda is adopted or modified by a motion of a majority of those members present. Once the agenda is approved, it requires a vote of a majority of the Board members present to make additional modifications.

[Adoption date: October 22, 2013]

CROSS REFS.: BDDC, Agenda Preparation and Dissemination  
BDDH, Public Participation at Board Meetings (Also KD)

## AGENDA FORMAT

The order of business at regular meetings will generally be as follows:

1. Call to order and roll call
2. Public participation
3. Some brief presentation of a District program or project (optional)
4. Approval of agenda
5. Treasurer's agenda
6. Building, Area Reports  
General – Personnel  
    Programs  
    Old/New Business
7. Business initiated by members of the Board
8. Reaffirm time and place of next meeting
9. Adjournment

## AGENDA PREPARATION AND DISSEMINATION

The Superintendent, in consultation with the Board President, arranges 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 District. The agenda may allow suitable time for remarks by the public who wish to speak briefly before the Board.

The Board follows 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 that 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, should not revise Board policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, is distributed to Board members at least 48 hours prior to the Board meeting to permit them to give items of business careful consideration. The agenda is also made available to the press, representatives of the community, staff groups and others upon request.

[Adoption date: October 22, 2013]

CROSS REFS.: BDDDB, Agenda Format  
BDDH, Public Participation at Board Meetings (Also KD)



## VOTING METHOD

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

To comply fully with State law, roll-call votes are made on resolutions pertaining to:

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 officer;
4. payment of any debt or claim and
5. adoption of any textbook.

For passage, most other actions 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.

All votes that require a specific majority are in the exhibit that follows.

[Adoption date: October 22, 2013]

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, School 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
Employ 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
Termination of Treasurer for cause	3 (a)	3319.16
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
Termination of Business Manager for cause	3 (a)	3319.16
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	4 (c)	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
Transfer funds in certain cases	4 (b)	5705.14
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)

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

## MINUTES

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

Minutes shall specify the nature of the meeting (regular or special); time, place and 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 a record of adjournment.

The Treasurer records the motion, the names of the members making and seconding the motion and the vote of each member present.

A complete and accurate set of minutes shall be prepared and become a regular part of the monthly agenda. The Treasurer must make draft minutes available for public inspection. Following approval of the minutes by the Board at the next meeting, the minutes are signed by the President and attested to by the Treasurer.

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

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 121.22(C)  
149.43  
3313.26

CROSS REFS.: BCE, Board Committees  
BD, School Board Meetings  
BDC, Executive Sessions  
BF, Board Policy Development and Adoption  
KBA, Public's Right to Know

## PUBLIC PARTICIPATION AT BOARD MEETINGS

All meetings of the Board and Board-appointed committees are 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 may be permitted at each meeting.

Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is 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, present and voting.

Agendas are available to all those who attend Board meetings. The section on the agenda for public participation shall be indicated. Noted at the bottom of each agenda shall be a short paragraph outlining the Board's policy on public participation at Board meetings.

[Adoption date: October 22, 2013]

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

CROSS REFS.: BCE, Board Committees  
BD, School Board Meetings  
BDDDB, 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: October 22, 2013]

[Re-adoption date: November 21, 2017]

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)

## BOARD POLICY DEVELOPMENT AND ADOPTION

Proposals regarding Board policies and operations may originate at any of several sources, including students, community residents, employees, Board members, consultants or civic groups. A careful and orderly process is used when examining policy proposals prior to Board action.

The formulation and adoption of written policies constitute the basic method by which the Board exercises its leadership in the operation of the District. The study and evaluation of reports concerning the execution of its written policies constitute the basic method by which the Board exercises its control over District operations.

The formal adoption of policies is recorded in the minutes of the Board. Only those written statements so adopted and recorded are regarded as official Board policy.

Final action by the Board on proposals shall be in accordance with this policy. The Board takes action on most matters on the basis of recommendations presented by the Superintendent. The Superintendent bases his/her recommendations upon the results of a study and upon the judgment of the staff and study committees.

Policies introduced and recommended to the Board should not be adopted until a subsequent meeting in order to permit further study and provide opportunity for interested parties to react. However, temporary approval may be granted by the Board in lieu of formal adoption to address emergency conditions or special events that may occur before formal action can be taken.

Unless otherwise specified, a new policy or policy amendment is effective as of the date of adoption by the Board and supersedes all previous policies in that area. Unless otherwise specified, the repeal of a policy is effective as of the date the Board takes such action.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC 3313.20(A)



CROSS REFS.: AD, Development of Philosophy of Education  
BDDG, Minutes  
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

## 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, are adopted, amended or repealed only by the affirmative vote of a majority of the members of the entire Board. Such action is 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 are 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 is 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 is effective on the date the Board takes such action.

[Adoption date: October 22, 2013]

## BOARD REVIEW OF REGULATIONS

State law requires the Board to make rules and regulations for the government of the District, its employees, students and all other persons entering the District's grounds and premises.

Before issuance, Board regulations are properly titled and coded as appropriate to subject and in conformance with the codification system selected by the Board. Those regulations officially approved by the Board are so marked. All others regulations appearing in the manual are considered approved, provided that 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 District.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC 3313.20(A)

CROSS REFS.: BF, Board Policy Development and Adoption  
CH, Policy Implementation

## POLICY DISSEMINATION

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the regulations needed to put them into effect. Accessibility to policies extends to all members of the school community. A policy concerning a particular group in the District is distributed to the group prior to the effective date of the policy.

Distributed policy manuals remain the property of the Board and are considered as “on loan” to anyone, or any organization, in whose possession they might be at any time. Manuals are subject to recall at any time deemed necessary for purposes of updating.

The Board’s policy manual is considered a public record and is open for inspection in a location designated by the Board.

[Adoption date: October 22, 2013]

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

CROSS REF.: BF, Board Policy Development and Adoption

## ADMINISTRATION IN POLICY ABSENCE

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

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

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 3313.18; 3313.20(A)

CROSS REF.: BF, Board Policy Development and Adoption

## SUSPENSION OF POLICIES

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

1. upon a majority vote of the Board present and voting at a meeting in which the proposed suspension has been described in writing or
2. upon a unanimous vote of members of the Board present and voting if no notice has been given.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC 3313.20(A)

CROSS REF.: BF, Board Policy Development and Adoption

## POLICY REVIEW AND EVALUATION

The Board reviews its policies on a continuing basis in an effort to keep its written policies consistent with community values and compliant with Federal and State law. Well-written, consistent and compliant policies may be used as a basis for Board action and administrative decisions.

The Board evaluates how the policies have been executed by the staff and weighs the results. It relies on staff, students and the community for providing evidence of the effect of the policies it has adopted.

The Superintendent has the continuing responsibility of calling to the Board's attention all policies that are outdated or need revision. To accomplish this, the Superintendent may request input from any Board or advisory committee.

[Adoption date: October 22, 2013]

CROSS REFS.: AD, Development of Philosophy of Education  
BF, Board Policy Development and Adoption

## BOARD-STAFF COMMUNICATIONS

The Board wishes to maintain open channels of communication with the staff. 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.

Board members must recognize that their presence in school buildings could be subject to a variety of interpretations by school employees. If a visit to a school or classroom is being made for other than general interest, Board members shall inform the Superintendent and make arrangements for visitation through the principal of the particular school. General interest visits are defined as informal expressions of interest in school affairs and not as inspections or visits for supervisory or administrative purposes. Board members will indicate to the principal the reason(s) for the visit. Official visits by Board members are carried out only under Board authorization.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC 3313.20(A)

CROSS REFS.: AFA, Evaluation of School Board Operational Procedures (Also BK)  
BDDH, Public Participation at Board Meetings (Also KD)  
GBM, Staff Complaints and Grievances  
KK, Visitors to the Schools



## NEW BOARD MEMBER ORIENTATION

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

The Board, Treasurer and the administrative staff assist each member-elect in understanding the Board's functions, policies and procedures before the member-elect takes office.

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

1. Selected materials, Board policies, regulations and other helpful information are furnished to the member-elect by the Superintendent.
2. Immediately after the general election, the member-elect is invited by the Board to attend Board meetings.
3. The Treasurer provides agendas and other materials pertinent to meetings and explains the use of the materials.
4. The incoming member is invited to meet with the Superintendent and other administrative staff.
5. The Board encourages newly elected members to attend workshops and in-service programs developed for new Board members.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 3313.12  
3315.15

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

## SCHOOL 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 conferences, workshops and conventions. 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 periodically decides which meetings appear to be most promising in terms of producing direct and indirect benefits to the District. At least annually, the Board will identify those new ideas or procedures and/or cost benefits which can be derived from participation at such meetings.
2. Funds for participation at such meetings are appropriated on an annual basis in the Board service fund. When funds are limited, the Board designates which of its members participate in a given meeting.
3. Reimbursement to Board members for their travel expenses is 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 are requested to share information, recommendations and materials acquired at the meeting.

[Adoption date: October 22, 2013]

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

The Board votes prior to January 1 to set the rate of compensation for newly elected or re-elected Board members. Because compensation for Board members may not be changed during their respective terms of office, changes in compensation must be made prior to the beginning of their respective terms.

Board members will receive the maximum amount permitted by law for 12 meetings.

### 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 (not compensation) in workshops and conferences, for new Board member orientation and training 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 District 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 and
3. prizes/awards/programs for students through the use of student activity funds.

The Superintendent, at the discretion of the Board, is permitted to honor employees and nonemployees with plaques, pins and other tokens of appreciation to include meals, refreshments or other amenities which further the interest of the District.

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 District's educational program with citizens, members of the business community, advisory committee members and associated school districts. All expenditures are subject to approval by the Superintendent.

Vendor Compensation

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

[Adoption date: October 22, 2013]

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, School Board Conferences, Conventions and Workshops  
DLC, Expense Reimbursements  
GBI, Staff Gifts and Solicitations  
IICA, Field Trips  
JL, Student Gifts and Solicitations

## SCHOOL 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 reports to the Board on State legislative proposals and communicates the Board's positions and/or the Ohio School Boards Association's positions to state representatives and senators.

The legislative liaison member also keeps the Board informed of pertinent federal legislative proposals and, when necessary, communicates the Board's position to representatives and senators at the national level.

[Adoption date: October 22, 2013]

CROSS REF.: BCA, Board Organizational Meeting

## EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

The Board plans and carries through an annual appraisal of its functioning as a board. This appraisal considers the broad realm of relationships and activities inherent in Board responsibilities.

The appraisal process and instrument are 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 and
14. management team development and utilization.

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

[Adoption date: October 22, 2013]

CROSS REFS.: ABA, Community Involvement in Decision Making (Also KC)  
AF, Commitment to Accomplishment  
BA, Board Operation Goals  
BCB, Board Officers  
BCCD, Board-Treasurer Relationship  
BCD, Board-Superintendent Relationship (Also CBI)  
BD, School Board Meetings  
BF, Board Policy Development and Adoption  
BG, Board-Staff Communications (Also GBD)  
BHA, New Board Member Orientation  
DA, Fiscal Management Goals  
KA, School-Community Relations Goals

## EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

Boards of education expect a high level of performance from those who are employed to run the schools. Stakeholders also expect a high level of performance from those who are elected to govern the schools.

Each Board should set aside some time on a regular basis to compare individual assessments of how well the governing body is functioning. It is important for the Board to establish a plan to regularly analyze its method of operation. The results of evaluation should be used in setting goals for improved operations in the future.

### SELF-EVALUATION INSTRUMENT

Using the numbering system below, rate each item: 1 - ineffective; 2 - somewhat ineffective; 3 - somewhat effective; 4 - effective; 5 - highly effective.

Board Meetings - Official action can be taken only when the Board is in session. Therefore, each meeting must be organized for maximum efficiency.

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	The Board of Education:
_____	_____	_____	_____	_____	reads agenda and background materials well in advance of meeting.
_____	_____	_____	_____	_____	makes public feel welcome; provides agenda, minutes and related materials.
_____	_____	_____	_____	_____	assures that meeting time, place and facilities are convenient for Board, staff and public.
_____	_____	_____	_____	_____	does not present new issues of complex nature for immediate action.
_____	_____	_____	_____	_____	does not abuse privilege of tabling important issues.
_____	_____	_____	_____	_____	demonstrates knowledge and use of good parliamentary procedure.



- | <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | The Board of Education:  |
|----------|----------|----------|----------|----------|--|
| _____    | _____    | _____    | _____    | _____    | makes distinction between Board's role and function of administrators.         |
| _____    | _____    | _____    | _____    | _____    | expects staff input and Superintendent's recommendation on key issues.         |
| _____    | _____    | _____    | _____    | _____    | equally applies the public participation policy to all speakers.               |
| _____    | _____    | _____    | _____    | _____    | makes the most productive use of meeting time.                                 |
| _____    | _____    | _____    | _____    | _____    | conducts all meetings in accordance with the Open Meetings Act (Sunshine Law). |
| _____    | _____    | _____    | _____    | _____    | selects officers on basis of ability.  |
| _____    | _____    | _____    | _____    | _____    | has procedure for submitting agenda items.                                     |

Board-Community Relations - As elected officials, Board members have the responsibility to be representative, to be responsive and to be effective agents of change. The Board of Education:

- |       |       |       |       |       |  |
|-------|-------|-------|-------|-------|--|
| _____ | _____ | _____ | _____ | _____ | actively seeks input from the community in establishing goals and objectives.                            |
| _____ | _____ | _____ | _____ | _____ | gives full support and cooperation to parent and community organizations with student-centered missions. |
| _____ | _____ | _____ | _____ | _____ | establishes a close working relationship with other units of government.                                 |
| _____ | _____ | _____ | _____ | _____ | is actively involved in state and federal education legislation.   |
| _____ | _____ | _____ | _____ | _____ | maintains effective two-way communication between District officials and residents of the District.      |
| _____ | _____ | _____ | _____ | _____ | ensures the best possible relationship between District officials and the media.                         |

- |          |          |          |          |          |   |
|----------|----------|----------|----------|----------|---|
| <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | The Board of Education:   |
| _____    | _____    | _____    | _____    | _____    | makes best use of facilities and resources in meeting needs of the community.                 |
| _____    | _____    | _____    | _____    | _____    | provides leadership in securing maximum community support for a good educational program.     |
| _____    | _____    | _____    | _____    | _____    | approves an annual budget within resources that can be certified in the "fiscal certificate." |

Board-Administrator Relations - The Board of Education:

- |       |       |       |       |       |   |
|-------|-------|-------|-------|-------|---|
| _____ | _____ | _____ | _____ | _____ | evaluates the performance of both the Superintendent and Treasurer on a regular basis and pursuant to State law.                |
| _____ | _____ | _____ | _____ | _____ | assures that the Superintendent complies with Board policies regarding annual staff evaluations.                                |
| _____ | _____ | _____ | _____ | _____ | works and plans with District administrators in the spirit of mutual trust and confidence.                                      |
| _____ | _____ | _____ | _____ | _____ | recognizes the Superintendent as the chief executive officer and educational leader of the District.                            |
| _____ | _____ | _____ | _____ | _____ | provides District administrators opportunity for professional growth.   |
| _____ | _____ | _____ | _____ | _____ | avoids interference with duties which are the responsibility of District administrators.  |
| _____ | _____ | _____ | _____ | _____ | solicits input from the Superintendent in developing and maintaining a comprehensive and legally compliant Board policy manual. |
| _____ | _____ | _____ | _____ | _____ | addresses potential problems between the Board and District administrators promptly as issues arise.                            |

- |          |          |          |          |          |  |
|----------|----------|----------|----------|----------|--|
| <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | The Board of Education:  |
| _____    | _____    | _____    | _____    | _____    | defends District administrators from unjust and unfounded criticism. |
| _____    | _____    | _____    | _____    | _____    | utilizes the management team concept of operating the District.      |

Board-Staff Relations – The Board seeks maximum input from staff on educational issues while retaining decision-making authority and responsibility for the operation of the District. The Board of Education:

- |       |       |       |       |       |  |
|-------|-------|-------|-------|-------|--|
| _____ | _____ | _____ | _____ | _____ | approves job descriptions for all positions.   |
| _____ | _____ | _____ | _____ | _____ | adopts appropriate personnel policies in the areas of employment evaluation, reduction in force and related matters. |
| _____ | _____ | _____ | _____ | _____ | encourages professional growth through staff development, in-service programs, visitations and conferences.          |
| _____ | _____ | _____ | _____ | _____ | refers complaints to appropriate District administrators for discussion and resolution.                              |
| _____ | _____ | _____ | _____ | _____ | preserves and maintains management rights in all labor relations agreements.   |

Instructional Program - The Board of Education:

- |       |       |       |       |       |   |
|-------|-------|-------|-------|-------|---|
| _____ | _____ | _____ | _____ | _____ | provides equal access to curriculum as well as cocurricular and extracurricular activities to all students.               |
| _____ | _____ | _____ | _____ | _____ | approves all curriculum changes including course additions and deletions.   |
| _____ | _____ | _____ | _____ | _____ | balances the overall needs of students and community with efforts of special interest groups to influence the curriculum. |

- | <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | The Board of Education:   |
|----------|----------|----------|----------|----------|---|
| _____    | _____    | _____    | _____    | _____    | encourages suggestions for curriculum improvement from students, staff and community.       |
| _____    | _____    | _____    | _____    | _____    | safeguards the privacy of student records.  |
| _____    | _____    | _____    | _____    | _____    | encourages a positive approach to student discipline.                                       |
| _____    | _____    | _____    | _____    | _____    | safeguards the rights of students to due process.   |
| _____    | _____    | _____    | _____    | _____    | provides policies that implement the educational standards of the State Board of Education. |

Personal Qualities - Maximum results as a school board member will be achieved only if high ethical standards of conduct are maintained in all personal, business and public activities. As a Board of Education member, I:

- |       |       |       |       |       |   |
|-------|-------|-------|-------|-------|---|
| _____ | _____ | _____ | _____ | _____ | am courteous and respectful of fellow Board members.                                      |
| _____ | _____ | _____ | _____ | _____ | keep the education and welfare of children as my primary concern.                         |
| _____ | _____ | _____ | _____ | _____ | represent the best interests of all stakeholders rather than special interest groups.     |
| _____ | _____ | _____ | _____ | _____ | understand the need for compromise; abide by decisions of the majority.                   |
| _____ | _____ | _____ | _____ | _____ | channel complaints and potential problems through proper administrative channels.         |
| _____ | _____ | _____ | _____ | _____ | have made the time commitment necessary to become an informed and effective Board member. |
| _____ | _____ | _____ | _____ | _____ | reach decisions on the merits of issues and the best available evidence.                  |
| _____ | _____ | _____ | _____ | _____ | participate in in-service programs at regional, state and national levels.                |

- |          |          |          |          |          |  |
|----------|----------|----------|----------|----------|--|
| <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | As a Board of Education member, I:   |
| _____    | _____    | _____    | _____    | _____    | do not individually or unilaterally make decisions or commitments on the Board's behalf.                                   |
| _____    | _____    | _____    | _____    | _____    | am open and honest with other Board members and administrators, share information and avoid "surprises" whenever possible. |
| _____    | _____    | _____    | _____    | _____    | am familiar with and abide by the OSBA Board Member Code of Ethics.  |

Additional Comments:

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