



**January 22**

**2020**

## **REPORT OF THE AD HOC COMMITTEE**

The Ad Hoc Committee met on Saturday, January 18, 2020, at 10:00 AM at Fueled Collective, 3825 Edwards Road, Cincinnati, OH 45209.

### **ATTENDEES**

#### **Ad Hoc Committee Members**

Chairperson Melanie Bates, Pamela Bowers, Ryan Messer

#### **Administration/Staff**

Laura Mitchell, Superintendent

### **Review Board Bylaws/Policies and Committee Responsibilities**

The Committee reviewed the CPS Bylaws (0000) including the Committee Responsibilities, which are embedded in the CPS Bylaws. Attached are the recommended revisions.

### **Draft a Charter for the Health and Safety Committee**

The Committee assigned Committee Chair Bates the responsibility of drafting a charter for the Health and Safety Committee. This is included in the proposed revision of the CPS Bylaws and Committee Responsibilities (attached).

### **Other Business**

#### **Committee Missions**

The Committee discussed committee missions and decided to recommend that instead of each committee drafting a mission, that the committees should use the missions as stated in the Strategic Plan [https://www.cps-k12.org/sites/www.cps-k12.org/files/pdfs/BOE\\_Strategic\\_Plan\\_Final\\_Web.pdf](https://www.cps-k12.org/sites/www.cps-k12.org/files/pdfs/BOE_Strategic_Plan_Final_Web.pdf).

#### **Student Achievement Committee Mission**

*Student-Centered Decision Making—We put students first. (Goal 1)*

We will ensure students are at the center of all decision making to create equitable educational opportunities and unmatched experiences that deliver results.

#### **Health and Safety Committee Mission**

*Health and Safety—We focus on personal well being. (Goal 2)*

We will commit to putting the safety, physical, social, and emotional health of our students, staff, and partners at the forefront of everything we do.

**All Committees Mission**

*Community Engagement and Influence—We are empowered by our communities. (Goal 3)*

We will create unmatched opportunities for meaningful student, family, and community engagement that positively impact student outcomes and inspire collaboration.

**Policy Committee Mission**

*Optimized Capabilities—We get better. (Goal 4)*

We will intentionally design data-informed, customer-focused, and user-friendly processes to create efficient and effective systems.

**Finance Committee Mission**

*Growth—We are our communities first choice for education. (Goal 5)*

We celebrate the diversity of our communities and will deliver exceptional educational experiences in all neighborhoods, expanding the CPS footprint and empowering families to choose CPS as their destination school District.

**Outstanding Issue from Board Retreat on January 11, 2020**

ASSIGNMENT FOR FULL BOARD: The question regarding how Board Member Messer represents CPS with the Preschool Promise was discussed. The Committee determined that the full Board should make this determination.

The meeting adjourned at 12:07 PM.

**Ad Hoc Committee**

Melanie Bates, Chair

Pamela Bowers

Ryan Messer



Board Policy 0000

## Purpose of the Bylaws and Protocol

### 0000 Purpose of the Bylaws and Protocol

Effective governance requires clear bylaws and protocols. In order for the Cincinnati Board of Education to have a positive impact on student success, the Board must exercise strong oversight of the district's finances, engage in authentic collaboration with the community, develop meaningful policies, and build a professional relationship with the superintendent and treasurer.

The power of the Board is speaking with one voice. By building a common understanding of roles, responsibilities, and expectations, and by articulating a commitment to listening and dialoguing around a diversity of perspectives, board bylaws and protocols determine how our board will work together effectively. In doing so, they allow board members to concentrate on the work that needs to get done in the district, enforce upon the Board perpetual self-evaluation and accountability, and transparently inform the public about how the Board operates.

In order to reach the Board's vision of building a CPS "community that ensures equitable access to a world-class education, unleashing the potential of every student," we, the members of the CPS Board of Education, commit ourselves collectively and individually to the following operating bylaws and protocols.

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12-18-2017



## Board Policy 0100 **Definitions**

### **0100 Definitions**

Whenever the following items are used in these bylaws and policies, they shall have the meaning set forth below:

#### **Administrative Guideline**

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

#### **Admonition**

An admonition is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official.

#### **Agreement**

A collectively negotiated contract with a recognized bargaining unit.

#### **Arbiter**

A facilitator designated to help reach resolution between Board Members on a specific matter.

#### **Board**

The Board of Education.

#### **Bylaw**

Rule of the Board for its own governance.

#### **Censure**

A censure is an action that is permanent until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official.

#### **Classified Employee**

An employee who provides support to the District's program and whose position may not require a professional license.

#### **Compulsory School Age**

A child between six and eighteen years of age or a child under six years of age who has been enrolled in kindergarten unless at any time the child's parent or guardian, at the parent's or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten.



**District**

The Cincinnati City School District.

**Due Process**

The safeguards to which a person is entitled in order to protect his/her rights.

**Full Board**

The seven (7) voting members entitled to govern the District.

**May**

This word is used when an action by the Board or its designee is permitted but not required.

**Meeting**

Any gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act, if appropriate, as a unit upon the specific public business of that body.

**Most Senior Board Member**

Board Member with longest tenure on the Board.

**Parent**

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise.

**Policy**

A general, written statement by the governing board which defines its position and expectations on a particular matter and authorizes appropriate action that shall be taken to establish and/or maintain those expectations.

**President**

The chief executive officer of the Board. (Cross reference 0170)

**Principal**

The educational leader and head administrator of one (1) or more District schools. In policy and administrative guidelines, implies delegation of designated responsibilities to appropriate members of his/her staff.

**Professional Staff Member**

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the Division of Teacher Education and Licensing.

**Relative**

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

**Secretary**

The legal/corporate clerk of the Board of Education is the Treasurer/Chief Financial Officer.

**Shall**

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

**Student**

A person who is officially enrolled in a school or program of the District.

**Superintendent**

The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.

**Textbook**

This word is used to describe the learning material duly adopted and required as standard work for the study of a particular subject. It may be bound and printed with a hard or soft cover, or it may be electronic, e.g., computer software, interactive videodisc, magnetic media, CD ROM, computer courseware, on-line service, electronic medium, or other means of conveying information.

**Treasurer**

The chief fiscal officer of the District.

**Vice-President**

The Vice-President of the Board of Education as defined by policy.

**Voting**

A vote at a meeting of the Board of Education. The law requires that Board members must be physically present in order to have their vote officially recorded in the Board minutes.  
R.C. 3313.18, 3313.20

Citations to Ohio Statute are noted as R.C. (Revised Code). Citations to Rules of the State Board of Education are noted as A.C. (Administrative Code). Citations to the Federal Register are noted as FR, to the Code of Federal Regulations as C.F.R., and to the United States Code as U.S.C.



Board Policy 0110  
**Identification**

**0111 Name**

The Board of Education of this District shall be known officially as the Cincinnati Board of Education. R.C. 3311.01

**0112 Boundaries**

The Cincinnati City School District is comprised of all the area in the description filed in the Board office. R.C. 3311.02, R.C. 3311.06, R.C. 3311.29

**0113 Address**

The official address of the Cincinnati Board of Education shall be 2651 Burnet Avenue, Cincinnati, Ohio 45219.

Mailing Address: P.O. Box 5381, Cincinnati, Ohio 45201-5381.

**0114 Seal**

The Board of Education shall adopt an official seal for the District.

**0118 Role and Responsibility of the Board**

A Board of Education is a legal entity for providing a system of public education within a geographic area of the State of Ohio. The system was created by, and is governed by, State statutes. Members of a Board are, therefore, State officers chosen by citizens to represent them and the State in the legislative management of the local schools. The Board consists of seven (7) members.

The Board of Education has the dual responsibility for implementing statutory requirements pertaining to public education and for meeting the desires of the citizens. While the Board has an obligation to determine and assess citizen desires, it is understood that when the citizens elect delegates to represent them in the conduct of specified educational programs, they, at the same time, endow their representatives with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board will address problems, breaches of protocol or noncompliance with federal and state laws at the nearest date to when the problems, breaches, or matters of law have occurred, are discovered and/or made known to the Board.

For breaches of bylaws or protocol, Board members will first address problems peer to peer. If, after the concerned Board Member has privately discussed the alleged violation with the other Board Member, and the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member will notify the Board President (arbiter) of the allegation. If the Board President is involved in the allegation, the concerned

Board Member may notify the Board Vice-President or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter.

The concerned Board Member, the arbiter, and the Board Member against whom the concern has been raised will discuss the alleged violation, so long as there is no quorum. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to find resolution.

If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board President may call a special meeting of the Board to discuss the alleged violation.

For major breaches of protocol or legal compliance, Board members will seek advice from legal counsel and may call upon the District's General Counsel, an external legal advisor, or the District's Internal Auditor to investigate the nature of the allegations

The findings of the investigation will be reported back to the concerned Board Member, at which time a determination on how to proceed will be based on advice of legal counsel.

If the process will move forward, the Board Member against whom the allegation has been made must be informed of the allegation.

Any determinations to impose admonition or censure must be made by the full board in public session according to Ohio law and in consultation with legal counsel.

The Board of Education shall not meet in executive session for the discipline of a member of this Board of Education for conduct related to the performance of the Board member's official duties or for the Board member's removal from office.

The Board will adopt the Vision, Mission, and Board Goals of the District, monitor progress toward Board Goals, oversee the management of the District, emphasize planning, evaluation, and policy-making, and secure financial resources for the District. The Board declares and, thereby, reaffirms its intent to:

- A. Maintain two-way communications with citizens of the District. The Board shall keep them informed of the progress and problems of the School District, and the citizens shall be urged to bring their aspirations and concerns about the District to the attention of this body.
- B. Establish policies and make decisions on the basis of declared educational philosophy and goals.
- C. Make decisions as a team and only the Board as a whole has authority to commit the Board to any action.
- D. Act as a truly representative body for citizens in all matters related to programs and operations. The Board recognizes that ultimate responsibility for public education rests with the State, but the Board of Education has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority. [R.C. 3313](#)



**0119 Duties of the Board of Education**

- A. To establish the vision, mission and goals for the Cincinnati City School District and annually establish measurable governance goals for the Board of Education itself.
- B. To address its performance through yearly self-evaluation.
- C. To initiate and vote upon matters of policy.
- D. To consider recommendations, proposals and strategies from the Superintendent and the Treasurer to achieve Board Goals.
- E. To hold the Superintendent and Treasurer accountable for the successful day-to-day operations of the District.
- F. To hold General Counsel responsible for providing appropriate and effective legal counsel.
- G. To hold the Internal Auditor responsible for providing appropriate and effective internal auditing of the District.
- H. To appoint the Superintendent of Schools/Chief Executive Officer and evaluate his or her performance in part, based on progress to his/her Board approved goals.
- I. To appoint the Treasurer/Chief Financial Officer and evaluate his or her performance, in part based on progress to his/her Board approved goals.
- J. To establish a performance evaluation process for the Superintendent and Treasurer. The process will ensure that the Superintendent and Treasurer understand expectations and accountability for the *Board Goals*.
- K. To appoint the Internal Auditor and evaluate his or her performance, in part based on progress to his or her Board approved goals.
- L. To establish a performance evaluation process for the Internal Auditor. The process will ensure that the Internal Auditor understands the expectations and accountability of the Board Goals.
- M. To provide for the preparation and adoption of the annual budget.
- N. To provide for the preparation and adoption of annual calendar.
- O. To provide, by the exercise of its taxing power, the funds necessary to finance the operation of the schools.
- P. To monitor the effectiveness with which the schools are achieving the educational goals established by the Board of Education.
- Q. To solicit and weigh public opinion as it affects the schools, and to inform the public of the progress and needs of the schools.
- R. To report back to the Board ~~within thirty (30) days~~ when representing the Board on external boards and governmental agencies and/or attending conferences and educational seminars by submitting written highlights as pertinent to the full Board.

- S. To keep the community informed about education programs. Communication will be the concurrent responsibility of the Board, the Administration, and the Treasurer.
- T. All assignments, including assignments made in Committees and by individual Board members, must be approved by the full Board during public board meetings. ~~must be made in committee and/or Board meetings conducted in public. Committee assignments may be approved through acceptance of Committee meeting minutes.~~

The Superintendent and/or Treasurer will determine the appropriate staff to follow-up and ensure a timely response for Administrative assignments. ~~Board staff will correspond with the Superintendent's staff for follow-up on the status and timeliness of assignments given by the Board to the Administration. The Superintendent will keep track of assignments and their status~~

The Board's staff will keep receive the an assignment status list from the Superintendent and make that available to Board members and the public.

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Board Policy 0120  
**Powers and Ethics**

0121 **Authority**

The supervision of the public schools of this District shall be conducted by the Board of Education, hereinafter sometimes referred to as the "Board," which is constituted and governed by Code Title 33 of the Revised Code of the State of Ohio.

0122 **Board Powers**

The Board of Education shall be a body politic and corporate, and, as such, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing, and disposing of real and personal property; taking and holding in trust for the use and benefit of the District, any grant or devise of land and any donation or bequest of money or other personal property. R.C. 3313.17

The power of this Board consists of those matters expressly granted by statute and to those matters which may be necessarily implied from such powers specifically delegated as being necessary to carry them out.

The Board of Education shall have the management and control of all the public schools in the District and the employees, students, and all other persons entering upon its school grounds or premises. R.C. 3313.20, 3313.47

0122.1 **Member Powers**

Board members as individuals do not separately possess the powers that reside in the Board of Education, except when and as expressly authorized by law or this Board, but no Board member shall be denied facts or materials required for the proper performance of his/her duties to which s/he is legally entitled.

- A. **A request for information from an individual Board member should be directed to the Superintendent or Treasurer and copied to all Board members.**
- B. Responses to individual Board member requests should be provided promptly to all Board Members. ~~Exceptions might be thick volumes that would be expensive. At least one (1) copy will be placed in the Board office.~~ An executive summary of long reports ~~should shall~~ be provided for all Board members.
- C. The Superintendent and the Treasurer will assign the appropriate staff to respond to the request for information.
- D. A Board member may consult directly with General Counsel or the Internal Auditor of the District.
- E. **The Board President should respond to correspondence received by the Board as a whole. A copy of the response will be provided to all Board members.**

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## 0122.2 Authority of Committees and of Board Members

Board members have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any statement or action on the part of any committee, individual Board member or employee, except when such statement or action is in pursuance of specific instructions by a majority of the Board.

## 0123 Code of Ethics Use

The Board believes quality public education and good Board service should be conducted in an ethical manner with traditional principles such as honesty, trust, fairness, and integrity. Each Board member should conform his/her conduct to Ohio law, the code of ethics recommended by the Ohio School Boards Association and the code of conduct set forth below as adopted from the National School Boards Association publication **Becoming a Better Board Member**.

While serving as a member of the Board of Education, each member is expected to agree to abide by the following code of ethics promulgated by the Ohio School Boards Association:

- A. ~~T~~he first and greatest concern of a Board member must be the educational welfare of all students attending the public schools;
- B. ~~O~~bey the laws of Ohio and the United States;
- C. ~~R~~espect the confidentiality of privileged information;
- D. ~~R~~ecognize that, as an individual, a Board member has no authority to speak or act for the Board;
- E. ~~W~~ork with other members to establish effective Board policies;
- F. ~~D~~elegate authority for the administration of the schools to the Superintendent and staff;
- G. ~~E~~ncourage ongoing communications among Board members, the Board, students, staff, and the community;
- H. ~~R~~ender all decisions based on the available facts and his/her independent judgment rather than succumbing to the influence of individuals or special interest groups;
- I. ~~M~~ake every effort to attend all Board meetings;
- J. ~~B~~ecome informed concerning the issues to be considered at each meeting;
- K. ~~I~~mprove boardmanship by studying educational issues and by participating in in-service programs;
- L. ~~S~~upport the employment of staff members based on qualifications and not as a result of any influence;
- M. ~~C~~ooperate with other Board members and administrators to establish a system of regular and impartial evaluations of all staff;



- N. ~~A~~void conflicts of interest or the appearance thereof;
- O. ~~R~~efrain from using a Board position for personal benefit or benefit of family members or business associates;
- P. ~~E~~xpress personal opinions but, once the Board has acted, accept the will of the majority.
- Q. During deliberation and/or discussion, diversity of opinions will be encouraged and respected through actions and words.
- R. The Board is a deliberative body, but will follow Roberts Rules of Order as needed to ensure the orderly and fair presentation of all views.
- S. The work of the Board will be equally divided among all Board members. The expectation is that every Board member fully commit to the work of the Board as a publicly elected official. This includes but is not limited to standing committee assignments and Board appointments.
- T. Individual Board members will vote their views. But as individuals, Board members have no authority. The Board will relay a unified message to the community and staff on critical issues once the Board has spoken.

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02/13/2017



## Board Policy 0130 Functions

### 0131 Legislative

The Board of Education shall make such rules and regulations as are necessary for its governance and the governance of its employees and students of its grounds or premises by adopting bylaws and policies for the organization and operation of this Board and this School District. R.C. 3313.20

#### LEGISLATIVE ACTION

Those bylaws and policies which are not dictated by the statutes or rules of the State Board of Education or ordered by the State Superintendent of Public Instruction or a court of competent authority may be adopted, amended, repealed, and/or suspended by a majority vote at any meeting of the Board, including in an emergency situation.

#### Distribution of Board Policies

The Superintendent shall communicate to each school and office ~~copies of the~~ Board policies and any amendments ~~s-accessible to each regular employee~~. Board policies will be posted and updated on the District's web page for public use (<https://www.cps-k12.org/about-cps/board-of-education/board-policies>). ~~Official printed copies will be maintained in the Board office and the Treasurer's office. Requested printed copies will be provided at a reasonable charge.~~

~~Revised 9/2/09~~

### 0132 Executive

The Board shall exercise its executive power by the appointment of a Superintendent of Schools, hereinafter referred to as "Superintendent," for a term not longer than five (5) years. R.C. 3319.01

The Superintendent shall enforce the statutes of Ohio, rules of the State Board, and the policies of this Board. R.C. 3319.01

The Superintendent shall prepare administrative procedures for the administration of the District which are consistent with statutes, regulations of the State Board, or the policies of this Board. (See Policy 1230.01)

Such administrative procedures shall be binding on the employees and the students of this District when issued.

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.

### 0133 Judicial

The Board of Education may assume jurisdiction over any dispute or controversy arising within the District and concerning any matter in which authority has been vested in the Board by statute, rule, a contract, or policy of this Board.

In furtherance of its adjudicatory function, the Board may hold hearings which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter. R.C. 9.84

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences which may flow from it, the degree of difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the School District.

#### 0135 **Employees Responsible for Observance of Laws**

The policies of the Board of Education are written to be consistent with the provisions of law, but not necessarily to incorporate the same. All employees are expected to know and shall be held responsible for observing all provisions of law and Board policies pertinent to their activities as employees of the Cincinnati Board of Education.

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02/13/2017  
09/02/2009



**Board Policy 0140**  
**Membership**

**0141 Number**

The Board of Education shall consist of seven (7) members elected at large.

**0141.2 Conflict of Interest**

The Revised Code of the State of Ohio explicitly prohibits conflict of interest situations for all board members, employees and agents of the State and its political subdivisions.

The policy of the Cincinnati Board of Education regarding possible conflicts of interest of employees is based on the principle that decisions made by all employees in the performance of their school system responsibilities must be made in the best interest of the school system. In reaching these decisions, employees must not be influenced by personal considerations which might consciously or unconsciously affect judgments as to what is in the best interests of the Cincinnati Public Schools.

A possible conflict of interest exists when any of the following occurs:

- A. A Board member has any personal interest, financial or otherwise, in any organization which might profit from his/her decision made in the execution of school system responsibilities.
- B. A Board member has other employment or any responsibility for the operation of any business, or devotes substantial amounts of time to any other income-producing activity where such outside employment, responsibility or activity may interfere with the satisfactory performance of his/her duties with the school system.
- C. A Board member solicits or receives any money in addition to that received from the school system for the performance of his/her school duties.
- D. A Board member uses or discloses confidential information gained in the course of or by reason of his/her position or activities in any way that could result in personal advantage or financial gain for himself/herself or for any other person.
- E. A Board member knowingly authorizes, or uses his/her office to secure authorization of any public contract or to secure the investment of public funds in any security in which s/he or a member of his/her family or a business associate has any interest.

If a Board member perceives a possible conflict of interest, it should be disclosed and a record of such disclosure should be recorded in the Board minutes.

A question of possible conflict of interest must be regarded as a matter of major importance. The disclosure of such a conflict and the determination of whether it is material are necessary for the protection of both the Board member and the school system.

Board members shall not accept any form of compensation from vendors that might influence their decision on the eventual purchase of equipment, supplies, or services. Furthermore, Board members shall not accept any form of compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from a vendor. In addition, Board members shall not enter into a contractual arrangement with a vendor seeking to do business



with the District, or a vendor with whom the District is doing business, whereby an individual Board member receives compensation in any form for services rendered. Such compensation includes, but is not limited to, cash, check, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member receives such compensation, the Board member shall immediately notify the Treasurer, in writing, that s/he received such compensation and shall thereafter promptly transmit such compensation to the Treasurer.

Nothing herein shall prevent a Board member who attends a conference held by an association of public officials and employees from accepting a meal, or attending a reception or open house, the cost of which is financed by a private party so long as the meal, reception, or open house is: (1) of an ordinary, routine character; (2) at an educational or informational event; and (3) open to all of the public officials and employees attending the event. See Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002). A Board member is prohibited from improperly using his/her position to secure the donation of the cost of a meal, reception, or open house at a conference of an association of public officials and employees to which s/he or his/her Board belongs, while the Board member is simultaneously engaged in governmental business or regulatory activity directly affecting the related interests of the person solicited.

A Board member whose spouse/partner is an employee in the District may not vote, authorize, or use the influence of his/her office to secure approval of any contract with his/her spouse. Neither may s/he vote, deliberate, discuss, or otherwise attempt to influence a collectively-bargained, negotiated agreement affecting his/her spouse if the agreement includes provisions for health insurance.

The Superintendent will develop procedures which require an annual written acknowledgement of this policy by each employee which shall be filed with the District's General Counsel.

R.C. 102.03(D)(E)(F), 2921.42(A)(3), 2921.44(D-F), 2921.02, 3313.13, 3313.33, 3313.70, 3319.21

#### **0142 Qualifications**

Each member of the Board shall meet the qualifications specified by law and courts of competent authority. R.C. 3313.01, 3313.13

##### **0142.1 Oath**

Each member of the Board shall, before entering his/her duties of office, take an oath to support the Constitution of the United States and the Constitution of the State of Ohio and to perform faithfully the duties of his/her office. R.C. 3313.10

##### **0142.3 Orientation**

The Board of Education will provide orientation for each Board member for the performance of Board duties. Accordingly, each new Board member, when his/her election is certified, shall receive for use during his/her term on the Board:

- A. access to or copy to of the Ohio Ethics Law as required by R.C. 102.09(E);
- B. access to ~~or copy to of the Board policy manual~~ Board policies;
- C. access to or copy ~~to~~ of each current negotiated agreement;
- D. access to or copy ~~to of~~ the current budget statement, audit reports, and related fiscal materials.

The Board will establish and maintain ~~a library~~ electronic copies of publications and reference materials for the use of Board members and will provide a new Board member with a list of references that should be reviewed prior to being sworn in.

Each new Board member shall be invited to meet with:

- A. the Board President
- B. the Superintendent
- C. the Treasurer
- D. the General Counsel
- E. the Board Office Staff

to discuss Board functions, policies, and procedures, including use of Board credit cards and procurement procedures for Board purchases.

New Board members shall be invited to attend all meetings of the Board until sworn in. R.C. 3315.15

#### 0143 Election

Members of the Board shall be elected at large in accordance with law. R.C. 3313.01, 3313.02 (City), 3313.08 (City)

#### 0144 Term

The term of each Board member shall be four (4) years and shall commence on the first day of January following the member's election. R.C. 3313.09

#### 0145 Filling a Board Vacancy

A vacancy occurs on the Board when one (1) of the following events occurs:

- A. death;
- B. nonresidence;
- C. resignation;

- D. failure of the person elected or appointed to qualify as an elector residence within the District within ten (10) days after the organization of the Board or of the appointment or election;
- E. failure of the person elected or appointed to qualify due to acceptance of duties incompatible with those of a Board member;
- F. removal from the District;
- G. absence from meetings of the Board for a period of ninety (90) days, if the absence is caused by reasons declared insufficient by a two-thirds (2/3's) vote of the remaining members of the Board and this vote was taken and entered into the record of the Board not less than thirty (30) days after the absence;
- H. removal from office.

Whenever a vacancy occurs, the Board shall fill the vacancy at its next regular or special meeting but not earlier than ten (10) days after the vacancy occurs.

The Board shall take the following steps to fill the vacancy:

- A. The Board shall seek qualified and interested candidates from the community through the news media, word of mouth, and contacts with appropriate organizations.
- B. All applicants are to submit a notice of their interest, in writing, to the Board President at the Board office.
- C. The Board shall interview ~~all~~ legally eligible candidates.

Appointment by the Board to fill a vacancy shall be by majority vote of the remaining members of the Board.

If the Board fails to appoint a member to its Board within thirty (30) days after the vacancy occurs, the probate court of the county, upon being advised of the failure to fill the vacancy shall act as the Board and perform the duties imposed upon the Board.

The newly-appointed Board member selected to fill a vacancy shall serve the shorter of the following periods:

- A. until completion of the unexpired term, or
- B. until the first day of January immediately following the next regular Board of Education election taking place more than ninety (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 shall be held if the unexpired term ends on or before the first day of January immediately following that regular Board election.

Whenever there is a need to have a special Board election to fulfill an unexpired term, the Board shall give written notice to the Board of Elections. The term of a member elected at such a special election shall begin the first day of January immediately following the special Board election and shall be for the balance of the unexpired term. R.C. 3.07, 3313.11, 3313.85

**0146 Resignation or Removal**

Whenever a member shall cease to be a bona fide resident of the District, his/her membership shall cease immediately.

The removal of a member who resigns shall become effective upon the presentation of the resignation to the Board duly convened or upon the effective date specified in the resignation, whichever is later.

Any member who fails to attend meetings of the Board for a period of ninety (90) days for reasons determined to be insufficient on the affirmative vote of two-thirds (2/3's) of the remaining members of the Board, and this vote is taken and entered into the record of the Board no less than thirty (30) days after the period of absence shall no longer be a member and his/her office shall be vacant. R.C. 3313.11

A member may be removed for misconduct in office in accordance with law. R.C. 3.07 et seq.

**0147 Board Member Compensation**

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 the terms of office. R.C. 3313.12

Board members may receive the maximum amount permitted by law for meetings and allowable compensation for specific training and seminars/workshops as identified in Board Policy 9350.2 – Board Service Fund.

- A. A Board member shall be permitted to request coverage for himself/herself and/or family in the District's group health and life 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 "pecuniary interest" in any contract. R.C. 3313.12, 3313.202(D)
- B. Within thirty (30) days after a Board member takes office, s/he has an opportunity to become a member of the State Employees Retirement System in accordance with R.C. 3309.012 and A.C. 3309-1.

The Board member shall notify the Treasurer whether or not s/he wishes to participate. The Treasurer shall ensure that the proper procedure is followed for completing the information required by the Retirement Board.

The following guidelines have been established by the Board of Education to ensure appropriate and proper reimbursement of expenses for Board members.

- A. Expenses will be reimbursed only for activities authorized by the Board.
- B. Reimbursement for mileage to attend Board approved activities will be at the current IRS rate.
- C. When attending a Board-approved activity, all fees, parking, mileage, meals, and housing can be submitted for reimbursement.



- D. Purchase of any printed or other materials necessary in the performance of Board member duties will be reimbursed if within the Board office budget.
- E. Entertainment expenses are not reimbursable.
- F. A voucher detailing the amount and nature of each expense, as well as a receipt for each expense, must be submitted to the Board for approval within sixty (60) days after the expenses have been incurred.

#### 0147.1 Board Member Trust Fund

Each Board member will deposit annually, or notify the Treasurer in writing to deposit, an agreed upon amount of his/her compensation to the credit of the Board of Education in the Board Member Trust Fund.

The Board Member Trust Fund is established for the purpose of paying miscellaneous expenses of the Board, providing recognition awards, expressions of sympathy and any expenses incurred for the benefit of the Cincinnati Public Schools for which funds are not otherwise available.

Expenditures from the Board Member Trust Fund will be made by the Treasurer only upon the approval of the President of the Board ~~and the Chairperson of the Finance Committee.~~

#### 0148 Public Expressions of Members

The Board President functions as the official spokesperson for the Board.

The Board President should respond to correspondence received by the Board as a whole. A copy of the response will be provided to all Board Members.

From time to time, however, individual Board members make public statements on school matters to local media and/or to local or State officials.

Board members should, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board, ~~except when authorized by the Board to do so.~~

This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:

- A. Correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter.
- B. Routine, not for publication, correspondence of the Superintendent and other Board employees.
- C. "Campaign articles" or "position papers" of candidates for elections to the Board.
- D. Routine "thank you" letters of the President of the Board.
- E. Statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board).

F. Postelection statements by Board members thanking citizens for voting for them.

#### 0148.1 Board-Staff Communications

The basic line of communication between the Board and staff will be through the Superintendent or Treasurer except when outlined herein.

##### A. Board Correspondence

Communications from staff members to the Board or its committees shall be submitted through the Superintendent. The Superintendent shall forward such communications received from staff members to the Board. This procedure is not intended to deny any staff member his/her constitutional right of free speech or the right to appeal to or otherwise address the Board on important matters through established procedures. The intent is to follow established channels of communication.

A request for information from an individual Board Member should be directed to the Superintendent or Treasurer and copied to all Board Members.

##### B. Board Communications to Staff

The Superintendent will appoint staff liaisons to each Board committee for the purpose of achieving its respective workplan. In that role, the committee chair and administrative liaison may directly communicate about assignments from the committee and agenda items and materials to facilitate the committees' work.

Board members may make requests to the Superintendent or Treasurer for additional information or updates. The Board President and the Superintendent or Treasurer will assess the timeliness of the requests, and the Superintendent and Treasurer will assign the request to the appropriate staff. All requests will be submitted via memo and all requests and responses will be copied to all Board members.

**When the Board Members are presented with an issue by a parent or constituent, the parent or constituent should generally be referred by Board members or Board staff to the Customer Help Center or the Superintendent as appropriate.**

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All official communications, policies, and directives of the Board that are of staff interest will be communicated through the Superintendent.

##### C. Social Interaction

When staff and Board members interact at social affairs and other functions, they may informally discuss educational trends, issues and innovations as well as general activities of the District. Individual Board members are not authorized to act on behalf of the Board unless in open public session or when specifically vested with such authority. It will be considered to be unacceptable conduct for Board members to discuss individual personalities, personnel grievances, or other complaints with members of the staff. Staff members shall be encouraged to utilize the procedures, established in Board Policy or the collective bargaining agreement to have their concerns, complaints, or grievances addressed.

**0149 Access to Records**

Individual members of the Board do not possess the powers that reside in the Board of Education, but no member of the Board shall be denied documents or information to which s/he is legally entitled and which are required in the performance of his/her duties as a Board member.

Access to District personnel and student records shall be subject to the Board policy and applicable State and Federal law.

Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions on such matters as appointments, assignments, promotions, demotions, remuneration, discipline and dismissal, or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.

Rev. 01/18/2020  
02/13/2017



Board Policy 0150  
**Organization**

**0151 Organizational Meeting**

The Board of Education shall organize annually at a meeting held during the first fifteen (15) days of January, on a date set by the Treasurer no later than December 31 of the previous year. The outgoing President shall serve as President Pro Tem for the organizational meeting. R.C. 3313.14

In absence of outgoing President, the outgoing Vice-President will serve as President Pro Tem.

**0152 Officers**

The organizational meeting shall be called to order by the President Pro Tem who shall act as presiding officer.

The oath of office shall be administered to new members by the Treasurer or a member of the Board. R.C. 3313.10

The Board shall then proceed to the election of a President who shall then take the chair after taking the oath of office and a Vice-President, who shall be administered the oath of office.

Elections of officers shall be by roll-call majority vote of members physically present taken by the Treasurer.

Where no such majority exists on the first vote, a second vote shall be cast for the two (2) candidates who receive the greatest number of votes.

Officers shall serve for one (1) year and until their respective successors are elected and shall qualify. R.C. 3313.14

In the event that the office of President becomes vacant, the Vice-President shall succeed the President and the position of Vice-President shall be filled in the same manner as the election conducted at the organizational meeting.

**0153 Appointees**

At the appropriate time, the Board shall appoint/reappoint a member to serve:

- A. as representative to the ~~Art Advisory Board~~, Cincinnati Recreation Committee, ~~Mayerson Academy Board of Trustees~~, OSBA Board of Trustees, OSBA's Southwest Region Executive Committee, OSBA's Urban School District Advisory Network, OSBA's Capital Conference Planning Committee, Council of the Great City Schools, National School Boards Association Federal Relations Network, Business Advisory Council, and a liaison to Activities Beyond the Classroom.
- B. as delegate and alternate delegate to the Ohio School Boards Association Annual Conference;
- C. as legislative liaison to the Ohio School Boards Association.



## 0154 **Motions**

The Board shall, at the organizational meeting:

- A. designate a day, place, and time for regular meetings which shall be held at least once every two (2) months; R.C.3313.15
- B. determine a fee charged to individuals requesting copies of the schedule of meetings, agenda, or notice of individual meetings; R.C. 121.22(F)
- C. reaffirm existing bylaws and policies for its own operation and the operation of the school system; (See 0131 of these bylaws)
- D. join the professional organizations as approved by the Board; R.C. 3313.87
- E. certify the number of students for purposes of establishing a Service Fund. R.C. 3315.15

The Board shall establish annually standing and ad hoc committee as necessary to assist in reaching decisions. On a basis of their findings, the standing and ad hoc committees will make recommendations to the Board for approval.

## 0155 **Committees**

As provided herein, the Board authorizes the establishment of standing committees and ad hoc committees, whose members shall be appointed from its membership. Each committee is charged with investigating, researching, discussing, and making a report and/or recommendation to the full Board on all matters referred to it.

**In an effort to increase deliberation and build consensus, substantive matters requiring Board action will be referred to a committee of the Board whenever possible**

Any committee, appointed pursuant to this policy, shall not take action on behalf of the Board under any circumstance.

Whenever a majority of a committee, or sub-committee, of the Board meets for any pre-arranged discussion of public business, regardless of the manner in which the meeting is conducted, it shall abide by the Sunshine Law. Accordingly, the law requires that public notice be given for each meeting of the committee and/or sub-committee, and, further, that minutes of the proceedings be recorded and maintained. Committee reports and minutes must include any minority opinion. Committee chairs are responsible for reporting on the discussion at the committee meeting and progress, actions, or next steps toward moving the work of the committee. Minutes shall reflect the discussions and actions or assignments that occurred during the committee meeting.

Such minutes shall be approved at the Board meeting that immediately follows said meeting of the committee or sub-committee.

Furthermore, such minutes and reports shall also be available for inspection by the public.

Committee Chairs will present monthly updates and progress reports regarding committee dialogue and administrative actions.

A committee or sub-committee may meet in executive session, provided it is conducted in accordance with Bylaw 0166, Executive Session.

~~With the exception of the Committee of the Whole that shall include all members of the Board,~~  
Committees shall consist of no more than three (3) members of the Board.

The President of the Board may serve as an ex officio member of any committee.

The Superintendent and Treasurer may also serve as ex officio members of any committee, but do not have voting rights.

In November, prior to the January organizational meeting, current and newly elected Board members may request committee assignments in writing to the current Board President. In December, current and newly elected Board members will review all requests and finalize their requests.

At the Organizational meeting in January, the newly elected President will recommend committee membership and member assignments for Board approval by majority vote at the Organizational meeting.

The term for all shall be one (1) year. Members may be re-appointed to the same committee in subsequent years.

Responsibilities for committee membership will be equally divided amongst all Board members. No one Board member shall chair more than one standing committee.

Each committee shall select a Board member to serve as Chair after the January organizational meeting. The Chair shall convene meetings of the committee. The Chair, or another member of the committee, if appropriate, shall report for the committee at the Board meeting that immediately follows a committee meeting.

The Board President will request that the Superintendent and/or Treasurer assign a staff liaison to all Board committees.

The Board committee chairpersons will invite participation by community members and gather necessary information from the Administration, other experts and advisory groups.

Board committees will consider only specific items that are relevant to the Board approved committee workplan.

Committee agendas, reports, and minutes will be available to the public on the District website and through written requests to the Board Office.

Progress reports will be made to the full Board on a monthly basis at scheduled Board meetings.

### **Responsibilities of the Policy Committee**

The Policy Committee shall do the following:

- A. Receive and act on reports and/or recommendations from the Administration concerning proposed revision of current policy, addition of new policy, or rescission of current policy, including as necessary to comply with State or Federal law.

- B. Receive suggestions or concerns from students, parents, employees, and taxpayers concerning the effectiveness of current policy or the need for new policy.
- C. Respond to assignments from the full Board for the development and drafting of new policies or revision of current policies.
- D. Ensure each policy is reviewed at least once every three (3) years, including an analysis of whether each policy serves the Board's goals in terms of equity.
- E. Develop an annual workplan to include the specific responsibilities as stated above to be submitted to the Board for approval.

F. Monitor the fair and equitable use of goods and services within the Policy Committee's responsibilities.

G. The committee Chair, Board, Board staff, and District administration will engage community members and organizations around responsibilities of the committee; Public Affairs representatives will be assigned to every committee meeting.

### **Responsibilities of the Finance Committee**

The specific responsibilities of the Finance Committee shall be as follows:

- A. Review the annual tax budget, annual appropriations resolution, and other appropriations or transfers of funds whether initiated by the Administration or other Board standing committees and make recommendations to the Board.
- B. Review all monthly reports of the Superintendent and the Treasurer regarding the statuses of the General, Capital, and Federal Fund expenditures and income, and furnish written comments on the reports at the discretion of the Committee.
- C. Review projections of the financial status of the District including, but not limited to, authorized level of personnel, labor negotiations and Five-Year Forecast from the Superintendent and the Treasurer/Chief Financial Officer. The Finance Committee shall utilize these projections to formulate such reports or recommendations as the Committee deems appropriate.
- D. Initiate the evaluation of the Treasurer, and facilitate the formal evaluation that shall be completed and approved by the full Board in either executive or public session, at the discretion of the Treasurer.
- E. Receive and review the assumptions that will be used to construct the budget before beginning the annual budget process, and report on same to the Board when approval is recommended by the Administration.
- F. Formulate, with the assistance of the Superintendent and Treasurer, legislative goals pertaining to school funding that will be the focus of the District's lobbying efforts to the local, State and Federal government, and report on these legislative goals to the Board for consideration.
- G. Receive reports regarding all audits of the District's funds including funds from local, State, Federal, grant and private sources. These audits may be conducted by the



State Auditor, the Ohio Department of Education, and/or other financial entities or individuals, and any findings, commendations, and/or recommendations are to be reported to the Board in a timely manner.

- H. The Audit Committee may be convened at the will of the Finance Committee, Treasurer, Internal Auditor, Audit Committee Chair, and the Superintendent of Schools to act in an advisory and/or investigative capacity to the Finance Committee or the full Board.
- I. Review proposals for the sale, lease or purchase of real estate, and all agreements negotiated, or such actions, whether initiated by the Administration or other Standing Committees and make recommendations to the Board.
- J. Review proposals for sale, purchase or lease of real estate, establishment of fees for short-term lease of facilities (as required by Ohio statute), and facilities improvement agreements, as requested by the Finance Committee.
- K. Review proposals for expenditures from the proceeds of the maintenance levy.
- L. Monitor the fair and equitable use of goods and services ~~by receiving current updates on Food Service~~ within the Finance Committee's responsibilities.
- M. Review of operational (non-employment) contracts.
- N. Develop an annual workplan to include the specific responsibilities as stated above to be submitted to the Board for approval.
- O. Receive recommendations from the Superintendent, Treasurer, and other Board committees on items for the Board's legislative agenda, formulate comments on the proposed items, and comment on these items when the Board considers the legislative agenda for approval.
- P. The committee Chair, Board, Board staff, and District administration will engage community members and organizations around responsibilities of the committee; Public Affairs representatives will be assigned to every committee meeting.

### **Responsibilities of the Student Achievement Committee**

The specific responsibilities of the Student Achievement Committee shall be as follows:

- A. Review proposals and issues relating to the program of study or proposed program of study and make recommendations prior to presentation to and/or action by the Board.
- B. Receive reports and studies about the following curriculum and instruction issues, and comment on these reports and studies when, and if, appropriate. The issues would include, but not be limited to:
  - 1. Matters relating to system accountability;
  - 2. Assessment of educational progress and reporting to parents;
  - 3. Curriculum review and development;



4. Co-curricular and extra-curricular programs;
  5. Student attendance.
- C. Receive reports and studies about the following Human Resource issues, and comment on these reports and studies when, and if, appropriate. This would include, but not be limited to:
1. The hiring process;
  2. Personnel initiatives including, but not limited to, recruiting new staff and retaining current staff;
  3. Ethical and legal issues affecting personnel matters;
  4. Professional Development;
  5. EEOC compliance.
- ~~D. Receive reports and studies about the following issues affecting the whole child, and comment on these reports and studies when, and if, appropriate. This would include, but not be limited to:~~
- ~~1. Child abuse prevention;~~
  - ~~2. Bullying;~~
  - ~~3. Sexual abuse/sexual discrimination/sexual harassment prevention;~~
  - ~~4. Sexual orientation issues;~~
  - ~~5. Resource Coordinators and Community Learning Centers;~~
  - ~~6. Student Code of Conduct;~~
  - ~~7. Nutrition;~~
  - ~~8. Health;~~
  - ~~9. Mental Health.~~
- D. Develop an annual Workplan to include the specific responsibilities of the Student Achievement Committee as stated in the Board Bylaws. The Workplan is to be submitted annually to the Board for approval.
- E. Present issues from the community that impact our students' ability to reach their full potential and discuss how those issues can be addressed.
- F. Discuss opportunities for expanding partnerships that will positively impact students, families, schools, and the community.
- G. Monitor the fair and equitable use of goods and services within the Student Achievement Committee's responsibilities.

- H. The committee Chair, Board, Board staff, and District administration will engage community members and organizations around responsibilities of the committee; Public Affairs representatives will be assigned to every committee meeting.

### **Responsibilities of the Health and Safety Committee**

The specific responsibilities of the Health and Safety Committee shall be as follows:

- A. Receive reports and studies about the issues affecting the whole child, and comment on these reports and studies when appropriate.
1. Child abuse prevention;
  2. Bullying;
  3. Sexual abuse/sexual discrimination/sexual harassment prevention;
  4. Sexual orientation issues;
  5. Resource Coordinators and Community Learning Centers;
  6. Student Code of Conduct;
  7. Nutrition;
  8. Health;
  9. Mental Health.
  10. Pedestrian Safety
  11. Safety in the Communities in which School Facilities Reside
  12. In-school Safety
- B. Develop an annual workplan to include the specific responsibilities as stated above to be submitted to the Board for approval.
- C. The committee Chair, Board, Board staff, and District administration will engage community members and organizations around responsibilities of the committee; Public Affairs representatives will be assigned to every committee meeting.

### **Responsibilities of the Full Board**

- A. Review and discuss significant issues brought to the Board by the Administration that either need direction or more developed and substantive discussion.
- B. Review all proposals for the sale, lease or purchase of real estate, and all agreements negotiated, or such actions, whether initiated by the Administration or other standing committees.

- C. Review all proposals for modification of facilities, such as new building construction, remodeling and renovations, demolition or determination of non-use.
- D. Review options related to the naming of new school buildings and school building name change requests, and consider any legalities of such actions.
- E. Review Districtwide School Year Calendar.
- F. Monitor the fair and equitable access and distribution of goods and services according to Board Policy 2255 – Equity and Excellence in Education.

R.C. 3313.16

## Meetings

Standing committees shall meet with a forty-eight (48) hour notice of the chairperson, or any two (2) members can request a meeting with a forty-eight (48) hour notice. They shall report to the Board without unnecessary delay upon matters referred to them. Emergency meetings of standing committees may be called, if all members of the committee provide written waiver of the forty-eight (48) hour notice. The Board shall be notified, at its next regular meeting, of all emergency meetings.

## Chairperson-Quorum

In the event of the chairperson's absence, another member shall serve as chairperson. A majority of the members of a standing committee shall constitute a quorum. No committee meetings will be held unless there is a quorum present. If a quorum is not present, information may be received.

## Reports

Matters which are referred to the standing committee shall be reported back to the Board.

The reports of the standing committee shall be in writing. Documents utilized by the committee shall be on file in the Board office.

Furthermore, such minutes and reports shall also be available for inspection by the public.

## Relieving From Further Consideration

~~Upon motion the~~The Board may, ~~by a majority vote,~~ relieve a committee of further consideration of a matter referred to it and order the same placed on the Board agenda.

## Secretary To Committees

The Board's Executive Assistant or designee shall act as secretary to the Board committees and shall keep a record of the attendance and business transacted at their meetings. This record shall be provided to all Board members and be filed in the Board office.



### **Referral To Committees**

~~Standing committees shall be assigned in accordance with goals and objectives. A majority of the committee may add an item or an issue for committee consideration.~~

### **Committee Report**

All committee reports must be approved or received for the record. The Board shall vote on the committee report or recommendation.

Upon recommendation of the Superintendent or at the request of the President or a majority of the Board, other standing committees may be established with the approval of the Board.

#### **0155.1 Employee Committees or Councils**

The Board of Education approves the creation by the Superintendent of such committees or councils of employees as s/he may deem appropriate for the consideration of any ~~problems~~ issues affecting the security, satisfaction, conditions of work and general welfare of employees or of other matters pertaining to the welfare of the schools.

Adopted 08/24/2009

Revised 11/15/2010

Revised 01/09/2012

Revised 02/13/2017

Revised 12/11/2017 and 12/13/2017 AdHoc

Revised 01/16/2018

Revised 01/18/2020



Board Policy 0160  
**Meetings**

**0161 Parliamentary Authority**

The parliamentary authority governing the Board of Education shall be the most recent edition of Robert's Rules of Order, Newly Revised, in all cases in which it is not inconsistent with statute, administrative code, or these bylaws or the rules of order of this Board.

**0162 Quorum**

A majority of the full Board members present in person at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum. R.C. 3313.18

**0163 Presiding Officer**

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

**0164 Notice of Meetings**

- A. A schedule of the time and place of (all) (each) regular meeting(s) shall be ~~published in newspaper(s) of local circulation,~~ posted at the District office, and on the Website.

The notice shall also contain the following statement: "Upon request to the Office of the Board, the District shall make reasonable accommodation for a disabled person to be able to participate in this activity."

- B. Notice of the time, place, and purpose of each special meeting shall be given to the news media twenty-four (24) hours in advance of the meeting, except that when an emergency requires the immediate official action of the Board, the member(s) calling the meeting shall immediately notify the media requesting such notice of the time, place, and purpose of the meeting. R.C. 121.22
- C. Notice of meetings at which the specific type of public business is to be discussed shall be sent to all persons requesting such notice, provided that such persons supply the Board with stamped, addressed envelopes for the purpose.
- D. The Office of the Board shall notify all Board members of each Board meeting no later than forty-eight (48) hours in advance of the meeting. Such notice shall include the time, place, and purpose of the meeting.

R.C. 3313.16

**0165.1 Regular Meetings**

Regular meetings of the Board shall be public and held at least once every two (2) months.  
R.C. 121.22, 3313.15

- A. The Board President shall prepare all agendas for meetings of the Board. In doing so, the Board President shall consult with Board members, Committee Chairs, the Superintendent, and the Treasurer. The Board President has final authority to set the agenda.

The Board President's role is to order and prioritize the final agenda.

Any items requested in writing by one (1) or more members of the Board must be considered for the agenda within two (2) meetings of the request.

- B. The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent on information relating to the District with such recommendations as s/he shall make.

Each agenda shall contain the following statement:

"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda item Hearing the Public."

- C. Board members need adequate information and time to consider an action in order to make quality decisions at Board meetings. The agenda, together with supporting materials, shall be posted electronically at least three (3) business days prior to the Board meeting. All materials will be mailed or delivered electronically or in hard copy to each Board member no later than twenty-four (24) business hours prior to the meeting.

Board members are expected to read the information provided to them and contact the Superintendent, Treasurer, General Counsel, and/or Internal Auditor to request additional information that may be deemed necessary to assist the Board in their decision-making responsibilities.

- D. The Board shall transact business according to the agenda prepared by the Board President and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any meeting by a majority vote of the members present.
- E. Agenda items proposed by Board members that have not gone through committee will have a first reading with discussion and a vote at the next regularly scheduled Board meeting. If a Board determines that an action is of an emergency nature, then a 48-hour waiver may be used.

The Board agrees that it shall follow the order of business as established by the agenda and only items appearing on the agenda will be acted upon. Upon the affirmative vote of a majority of Board members present, the Board may consider and act upon business not included on the agenda.

- F. Consent Agenda

The Board shall use a consent agenda to keep routine matters within a reasonable time frame.



Routine business items may be included in separate resolutions for consideration by the Board.

Such routine business items include, but are not limited to:

1. minutes of prior meetings;
2. bills for payment;
3. hiring of personnel;
4. resolutions that require annual adoption, such as bank signatories, Ohio High School Athletic Association membership, etc.; and
5. resignations and leaves.

A member of the Board may request any item be removed from the consent resolution. No vote of the Board will be required to remove an item from any consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion.

#### **0165.2 Special Meetings**

Special meetings of the Board shall be public. R.C. 121.22

- A. Special meetings shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time, place, and purpose of such meeting upon each Board member at least two (2) days in advance of the meeting. R.C. 3313.26
- B. The agenda as presented shall be consistent with the purposes identified in the meeting notice and may not be altered at the meeting.

#### **0165.3 Recess**

The Board may adjourn or recess at any time. The adjourned meeting, when reconvened, shall take up its agenda at the point where the motion to adjourn or recess was acted upon.

#### **0166 Executive Sessions**

Executive sessions will be held only for appropriate subjects permitted by law. Board members will be notified in advance if any executive session is to take place. Notwithstanding the foregoing, an executive session may be called at any time following the same rules for calling a regular meeting. All executive session motions will make explicit the subject(s) being considered.

The Board and its committees and subcommittees reserve the right to meet privately in executive session solely to discuss one (1) or more of the following issues exempted from public sessions:

- A. consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee, official – the particular personnel matter(s) must be specified;
- B. investigation of charges or complaints against a public employee, official, licensee, or student unless such employee, official, licensee or student requests a public meeting; except that consideration of the discipline of a Board member for conduct related to the performance of his/her duties or his/her removal from office shall not be held in executive session;
- C. consideration of the purchase of property or sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest;
- D. discussion, with the Board's legal counsel, of disputes involving the Board that are the subject of pending or imminent court action;
- E. preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of employment;
- F. matters required to be confidential by Federal law or rules or State statutes;
- G. details relative to the security arrangements and emergency response protocols of the District, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the District; and
- H. other reasons as expressly authorized by law.

No official action may be taken in executive session. R.C. 121.22

Collective bargaining meetings between employers and employee organizations are private and not subject to R.C. 121.22. R.C. 4117.21

An executive session will be noticed with regular or special public meetings. After the meeting is convened, any member may make a motion for an executive session, and must state the purpose or purposes of the session by citing one (1) or more of the reasons set forth above. If the session is to discuss a personnel matter listed in paragraph A above, the particular subject for which the session has been called must be identified in the motion. The motion does not need to name the person. Upon receiving a second to the motion and a majority roll-call vote of those present and voting, the chairperson shall declare the Board in executive session.

In keeping with the confidential nature of executive sessions, no member of the Board, committee or subcommittee shall disclose the content of discussions that take place during such sessions.

All members of the Board, committee or subcommittee are entitled to attend executive sessions. The Board, committee or subcommittee may invite any other person to attend an executive session.



## 0167 Voting

All motions shall require for adoption a majority vote of those present and voting, except as provided by statute, these bylaws, or parliamentary authority. Upon the demand of any member of the Board, the vote shall be recorded by roll call.

Unless a specified number of affirmative votes is required, an abstention shall be recorded and deemed to consent to the outcome of the voting. In situations in which a tie vote occurs and abstentions have been cast, the motion shall fail for lack of a majority.

All actions requiring a vote can be conducted by voice vote or show of hands, unless a roll-call vote is requested or required. A Board member must be physically present at the meeting to vote. Each vote and abstention shall be recorded. Proxy voting is prohibited. R.C. 3313.18

Item	Number Needed	R.C. Reference
Declaring it necessary to issue bonds	Majority, Full Board* Present	3313.18
Declaration by remaining members, that reasons for a member's absence for ninety (90) days are insufficient to continue membership	2/3, Remaining Members	3313.11
Filling a vacant Board seat	Majority, Remaining Members	3313.11
Purchase or sell real estate	Majority, Full Board	3313.18
Appointment of any employee	Majority, Full Board	3313.18
Elect or appoint an officer	Majority, Full Board	3313.18
Pay any debt or claim	Majority, Full Board	3313.18
Adopt textbook	Majority, Full Board	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	Majority, Full Board	3313.18
Removal of the Treasurer or Pro Tempore at any time for cause	2/3, Full Board	3313.23
Appointment of Treasurer Pro Tempore	Majority, Full Board	3313.23
Determination that Treasurer's incapacity is removed	Majority, Full Board	3313.23
Affirm, reverse, vacate or modify an order of student expulsion; reinstate a student	Majority, Full Board	3313.66(E)
Appointment of Superintendent Pro Tempore	Majority, Full Board	3319.011
Removal of Superintendent Pro Tempore at any time for cause	2/3, Full Board	3319.011
<b>(City and EV only)</b>		
Reemployment of a teacher whom the Superintendent refuses to recommend	¾, Full Board	3319.07

Item	Number Needed	R.C. Reference
Reemployment of another administrator whom the Superintendent refuses to nominate	$\frac{3}{4}$ , Full Board	3319.02
Selection of textbooks	Majority, Full Board	3329.08
Change, revision, or substitution of textbooks during four-year period after adoption	$\frac{4}{5}$ , Full Board	3329.08
Transfers of funds in certain cases	$\frac{2}{3}$ , Full Board	5705.14
Resolution declaring the necessity for certain transfers of funds	Majority, Full Board	5705.16
Levying a tax outside 10-mill limitation (not emergency)	$\frac{2}{3}$ , Full Board	5705.21
Rejection of findings and recommendations of fact-finding panel by Board or employee organization under statutory impasse resolution procedure	$\frac{3}{5}$ , Full Board	4117.14(c)(6)

\* $\frac{3}{4}$  = 5 MEMBERS OF A SEVEN-PERSON BOARD

\* $\frac{2}{3}$  = 5 MEMBERS OF A SEVEN-PERSON BOARD

\* $\frac{3}{5}$  = 5 MEMBERS OF A SEVEN-PERSON BOARD

\* $\frac{4}{5}$  = 6 MEMBERS OF A SEVEN-PERSON BOARD

#### 0167.1 Use of Electronic Mail

All official business of the Board shall be conducted in public meetings. Private, prearranged discussions of official business by a majority of Board members is prohibited, regardless of whether the discussion occurs face-to-face, telephonically, by video conference, or electronically by e-mail, text, tweet, or other forms of communication.

Unless two members constitutes a majority (e.g. committees), isolated one-on-one conversations between individual members of a public body regarding its business, either in person or by telephone, do not violate the Open Meetings Act. However, a public body may not circumvent the requirements of the statute by setting up back-to-back meetings of less than a majority of its members, with the same topics of public business discussed at each. Such conversations may be considered multiple parts of the same, improperly private, "meeting."

There should be no expectation of privacy for any messages sent by E-mail. Messages that have been deleted may still be accessible on the hard drive, if the space has not been occupied by other messages. Messages, deleted or otherwise, may be subject to disclosure under the Public Records Act, unless an exemption would apply.

#### 0168 Minutes

The Treasurer shall keep reasonably comprehensive minutes of all its meetings showing the time and place, the members present, the subjects considered, a summary of the deliberations sufficient enough for the public to understand the basis for the Board's actions, the actions taken, the vote of each member on roll-call votes, and any other information required to be

shown in the minutes by law, which shall be available to the public. (R.C.121.22,149.43, 3313.26) Minutes of executive sessions shall reflect the general subject matter of discussions. R.C. 121.22

The Treasurer shall provide each Board member with a copy of the minutes of the last meeting no later than forty-eight (48) hours before the next regular meeting.

Tape recordings shall be made of each meeting of the Board as an administrative aid and shall be preserved as public documents of the Board. The tape recordings shall also be referred to in the written minutes.

The minutes of Board meetings shall be considered at the next succeeding meeting where they shall be read (unless waived by law), corrected, and approved. The approved minutes shall be signed by the Treasurer and the President.

The approved minutes shall be filed in the Treasurer's office in a prescribed minute book as a permanent record of official Board proceedings.

R.C. 149.43, 3313.26

#### **0169 Public Participation at Board Meetings**

The Board of Education recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Any person or group wishing to speak at the Hearing of the Public shall register their intent with the Board Administrator before the beginning of a regular Board business meeting, excluding matters dealing with personnel issues.

- A. Name and address of the participant
- B. Group affiliation, if and when appropriate
- C. Topic to be addressed

Such requests shall be subject to the approval of the Board President in consultation with the Superintendent.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for hearing the public at those public meetings of the Board during which action may be taken and publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

- A. Each statement made by a participant shall be limited to three (3) minutes duration, unless extended by the presiding officer.
- B. The Board will hear from people on a single issue at a given meeting for three minutes each, totaling no more than thirty (30) minutes per topic. The presiding officer reserves the right to limit or lengthen discussion on a particular issue.

- C. No participant may speak more than once on the same topic.
- D. All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- E. The Treasurer shall make a record of the comments made during the period of public participation.
- F. Tape or video recordings are permitted. The person operating the recorder should contact the Superintendent or designee prior to the Board meeting to review possible placement of the equipment, and must agree to abide by the following conditions:
  - 1. No obstructions are created between the Board and the audience.
  - 2. No interviews are conducted in the meeting room while the Board is in session.
  - 3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session and not disrupt the meeting.
- G. The presiding officer may:
  - 1. interrupt, warn, or terminate a participant's statement when the statement is, personally directed, abusive, inappropriate or regarding any personnel matter;
  - 2. request any individual to leave the meeting when that person does not observe reasonable decorum.

R.C. 3313.20

#### 0169.1 **Open Meetings/Sunshine Law**

The Sunshine Law applies to the Board, and to any committee or subcommittee created by the Board or required by law or rule.

A "meeting" to which the Sunshine Law applies is any prearranged discussion of the public business of the Board, committee or subcommittee by a majority of its members, including, but not limited to, regular and special meetings, work sessions, retreats, planning meetings, and study groups. A series of prearranged meetings attended by a minority of the Board to discuss the public business, without giving proper notice, is a violation of the Sunshine Law. A majority of members may gather at social or other events, but may not discuss public business.

R.C. 121.22

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02/13/2017





## Board Policy 0170 Duties

### 0171 Review of Policy

The Board will evaluate how policies have been implemented and their general effectiveness. It will rely on the school staff, students, and community to provide evidence of the effect of the policies it has adopted.

The Superintendent or Treasurer or their designee shall continually call to the Board's attention all policies that need revision.

The Superintendent or Treasurer or their designee is further directed to identify and undertake the correction of technical or formatting errors found in the policy and regulations manuals. Such correction shall be limited to non-substantive matters that do not affect the intent, meaning and/or operation of the policy or regulation. Upon completion of the technical and formatting corrections, the Superintendent shall provide a brief summary of the corrections to the Board for review. Should the Board determine that a correction is substantive in nature, it must take formal action to adopt the amendments to the policy or regulation. It is hereby determined that legal references or citations contained in Board policies are of a non-substantive nature such that they may be updated and/or corrected by the Superintendent as appropriate, and in a manner consistent with this paragraph.

R.C. 3302.01 - .08

#### 0171.1 Review of Policy – Finance

It will be the policy of the Board to review its policies and procedures on Finance on a continuing basis in order to keep them up-to-date.

#### 0171.2 Review of Policy – Philosophy and Goals

It will be the policy of the Board to review its policies on the philosophy of education, educational goals, strategic plan, curriculum and instruction, participation of all students, and educational options on a continuing basis three-year rotation or update as necessary in order to keep them up-to-date.

#### 0171.3 Review of Policy – Community Relations

It will be the policy of the Board to review its policies on planned community relations on a continuing basis three-year rotation or as necessary in order to keep them up-to-date.

### 0173 Board Officers

A. The President of the Board of Education shall:

1. preside at all public meetings of the Board;
2. call special meetings of the Board, R.C. 3313.16;

3. recommend committee membership, as approved by the Board;
  4. sign notes, minutes, conveyances, contracts, and other legal instruments for which the signature of the President is called, R.C. 3313.51, 3315.08; and
  5. assist in the preparation of the Board agenda.
- B. The Vice-President shall assume and discharge the duties of the President in his/her absence, disability, or disqualification.
- C. A committee chairperson shall call meetings of the committee, keep informed on developments in activities under the committee's jurisdiction, and report to the Board for the committee.

#### **0175.1 School Board Conferences, Conventions, and Workshops**

The Board recognizes the value of membership and attendance at conferences and meetings at the local, County, State, and National level.

Attendance at local, County, State, National workshops and conferences is encouraged.

Each Board member is expected to report back to the Board after attending a conference at District expense.

Travel and personal expenses of spouse, children, or other guest traveling with a Board member shall be the responsibility of the Board member or of the individual. Expenses for convention functions attended as a group will be borne by the District within budgetary limits.

The President of the Board will regularly receive a record of Board member attendance at conferences.

Board members shall be paid for attendance at approved training programs. R.C. 3313.12

A Board member who attends a conference held by an association of public officials and employees may accept a meal, or attend a reception or open house, the cost of which is financed by a private party so long as the meal, reception, or open house is: (1) of an ordinary, routine character; (2) at an educational or informational event; and (3) open to all of the public officials and employees attending the event. See Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002). A Board member is prohibited from improperly using his/her position to secure the donation of the cost of a meal, reception, or open house at a conference of an association of public officials and employees to which s/he or his/her Board belongs, while the Board member is simultaneously engaged in governmental business or regulatory activity directly affecting the related interests of the person solicited.