

## SECTION B: GOVERNING BOARD GOVERNANCE AND OPERATIONS

Section B of the EPS/NSBA policy classification system is a repository for statements about the governing Board--how it is elected and organized and how it operates and conducts its meetings. This section includes bylaws and policies establishing the Board's internal operating procedures.

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## GOVERNING BOARD OPERATION GOALS

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

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

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

[Adoption Date: 5/28/96]

## GOVERNING BOARD LEGAL STATUS

Legally, a Governing Board 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 Educational Service Center any grant or gift of land, money or other personal property.

The Governing Board of the Wood County Educational Service Center is composed of five members, elected by the citizens of the public schools. A regular term is four years.

[Adoption Date: 5/28/96]

[Amended Date: 2/25/14]

LEGAL REFS.: ORC 3311.19  
3313.01; 3313.02; 3313.09; 3313.17; 3313.20; 3313.47

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

## GOVERNING BOARD POWERS AND DUTIES

Under the laws of the State of Ohio, the Governing Board acts as the governing body of the public schools with full powers of direction and control.

Within the extent of its legal powers, the Board has responsibilities for conducting the Educational Service Center in accordance with the desires of local citizens who elect the Board's members.

The Governing Board considers the following to be its major responsibilities:

1. to select and employ a Superintendent;
2. to select and employ a Treasurer;
3. to determine and approve the annual budget and appropriation;
4. to review annual audit report;
5. to provide needed school facilities;
6. to provide for the funds necessary to finance the operation of the schools;
7. to 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 schools;
8. to require reports of the Superintendent concerning the conditions, efficiency and needs of the schools;
9. to evaluate the effectiveness with which the schools are achieving the educational purposes of the Governing Board;
10. to inform the public about the progress and needs of the schools and to solicit and weigh public opinion as it affects the schools and
11. to adopt policies for its governance and the governance of its employees and the students of the schools.

[Adoption Date: 5/28/96]

[Amended Date: 10/23/07]

LEGAL REF.: ORC Title 33

File: BBAA

GOVERNING BOARD MEMBER AUTHORITY  
(And Duties)

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

An individual Governing Board member has power only when the Board, by vote, has delegated authority to him.

It will be the duty of the individual members of the Governing Board to attend all legally called meetings of the Board, except for compelling reasons to the contrary; to participate in the normal business operations of the Board at the meetings and to represent interests of all the citizens of the school District in matters affecting the education of the students in the District.

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 3313.18

CROSS REF.: BBA, Governing Board Powers and Duties

## GOVERNING BOARD ELECTIONS

Members of the Governing 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.

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

Candidates for election are nominated by petition. The petition must be signed by 150 qualified electors of the District. Petitions must be filed 75 days before the election.

[Adoption Date: 5/28/96]

LEGAL REFS.: ORC 3.01  
3311.052  
3313.02; 3313.04; 3313.08; 3313.09  
3501.01; 3501.02; 3501.38  
3503.01; 3503.02  
3505.04  
3513.254

## GOVERNING BOARD MEMBER QUALIFICATIONS/OATH OF OFFICE

Under law, a Governing Board member must be an elector residing in the school 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 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 Governing 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 Governing Board is required by law to take an oath of office.

[Adoption Date: 5/28/96]

LEGAL REFS.: ORC 3313.10; 3313.13; 3313.70  
3503.01



GOVERNING BOARD 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 Governing Board or of his appointment or election;
6. relocation beyond District boundaries; or
7. absence from Governing 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 Governing Board at its next regular or special meeting not earlier than 10 days nor later than 30 days after the vacancy occurs. A majority vote of all the remaining members of the board may fill the vacancy.

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

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

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

[Adoption date: 5/28/96]

[Amended date: 12/21/04]

LEGAL REFS.: ORC 3.02  
3313.11; 3313.85

CROSS REFS.: BBBA, Governing Board Member Qualifications

## GOVERNING BOARD MEMBER ETHICS

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

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

[Adoption Date: 5/28/96]

LEGAL REFS.: ORC 2921.01(B); 2921.41; 2921.44  
3313.13; 3313.33; 3313.70  
3319.21

CROSS REF.: BBFA, Governing Board Member Conflict of Interest

## GOVERNING BOARD MEMBER CODE OF ETHICS

While serving as a member of the Governing Board of the Educational Service Center, I will 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 Governing Board member I have no authority to speak or act for the Governing Board;
- Work with other members to establish effective Governing Board policies;
- Delegate authority for the administration of the schools to the Superintendent and staff;
- Encourage ongoing communications among Governing 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 every effort to attend all Governing Board meetings;
- Become informed concerning the issues to be considered at each meeting;
- Improve my Boardman ship 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 Governing 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 Governing Board position for benefit of myself, family members or business associates and
- Express my personal opinions but, once the Governing Board has acted, accept the will of the majority.

[Adoption Date: 5/28/96]

## GOVERNING BOARD MEMBER CONFLICT OF INTEREST

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

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

A Governing 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 school district;
2. the supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the school district as part of a continuing course of dealing established prior to the Board member's becoming associated with the school district;
3. the treatment accorded the school 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 family, or his business associate, and the Board member takes no part in the deliberations or decision with respect to the public contract.

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

**The Ohio Ethics Laws prohibits:**

1. the Prosecuting Attorney or a city attorney from serving on the Board of the Educational Service Center;
2. a Board member from serving as the school dentist, physician or nurse;
3. a Board member from being employed for compensation by the Governing Board;
4. a Board member from having, directly or indirectly, any pecuniary interest in any contract with the Governing Board;
5. a Board member from voting on a contract to employ a person as a teacher or instructor, if he is related to that person as father, mother, spouse, brother or sister;
6. a Board member from authorizing, or employing the authority or influence of his office to secure authorization of any public contract in which he, a member of his family or his 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 Educational Service Center and
8. a Board member from occupying any position of profit during his term of office or within one year thereafter, in the prosecution of a public contract authorized by him or the Governing Board of the Educational Service Center of which he was a member at the time of authorization of that contract.

[Adoption Date: 5/28/96]

[Amended Date: 7/24/01]

[Amended Date:12/16/08]

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

## GOVERNING BOARD ORGANIZATIONAL MEETING

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

### Meeting Procedures

1. The Governing Board will appoint a President Pro Tempore from its membership.
2. The official swearing in or administration of the oath of office to the new members should follow. If the oath has already been taken, it should be stated where and when this oath was taken, for the record. If the oath has not been previously taken, the Treasurer, any member of the Governing Board or any person qualified to administer an oath may do so.
3. The President Pro Tempore will then preside over the election and swearing in of a President and Vice President.
4. The newly elected President and Vice President will then be sworn into office and the President will assume the chair.
5. The Governing Board will then proceed with items of annual business such as:
  - A. setting the dates and times of regular Governing Board meetings;
  - B. appointment of legal counsel for the ensuing calendar year;
  - C. purchase of liability insurance for Governing Board members;
  - D. appointment of legislative liaison;
  - E. securing of performance bonds for Superintendent and Treasurer.
6. Upon conclusion of annual business, the Governing Board will enter into such regular or special business as appears on the agenda for the meeting.

[Adoption Date: 5/28/96]

[Amended Date: 4/24/07]

LEGAL REFS.: ORC 3313.14; 3313.15; 3313.203; 3313.22; 3313.25; 3313.87

## GOVERNING BOARD OFFICERS

### President

The President will preside at all meetings of the Governing Board and will perform other duties as directed by law, State regulations and policies of this Board. In carrying out these responsibilities, the President will:

1. be responsible for the orderly conduct of all Governing Board meetings;
2. call special meetings of the Governing Board as necessary;
3. appoint Governing Board committees. The President will be an ex officio member of all Board committees with the power to vote. The President will be knowledgeable as to the business of the various committees and will generally oversee their work;
4. sign all proceedings of the Governing Board after they have been approved by the Board and signed by the Treasurer;
5. sign all other instruments, acts and orders necessary to carry out State requirements and the will of the Governing Board and
6. perform such other duties as may be necessary to carry out the responsibilities of the office.

The President will have the right, as other Governing Board members have, 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 will perform the duties and have the responsibilities and commensurate authority of the President.

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

### President Pro Tempore

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

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

[Adoption Date: 5/28/96]

LEGAL REFS.: ORC 3313.14; 3313.15; 3313.203; 3313.22

APPOINTED BOARD OFFICERS  
TREASURER

Treasurer

As required by law, the Governing Board will appoint an individual to serve as treasurer for the Educational Service Center. The person selected must be licensed by and meet the standards established by the State Board of Education.

The treasurer will perform the duties prescribed by state law and will be directly responsible to the Governing Board and will work cooperatively with the superintendent.

Specific Duties of the Treasurer

1. Serves as treasurer for all Educational Service Center funds and assumes responsibilities for the receipt, safekeeping and disbursement of all Educational Service Center funds.
  - a. supervises the collection, safekeeping, and distribution of all funds, receives all moneys belonging to the Educational Service Center.
  - b. acts as custodian of all moneys belonging to the Educational Service Center for the most advantageous investment return and provides for the safekeeping of investment and securities
  - c. pays out Educational Service Center moneys on written order of designated official(s) of the board and
  - d. responsible for the preparation of warrants, recordings, and records of all disbursements of Educational Service Center funds.
  
2. Serves as the Educational Service Center's Chief Fiscal Officer:
  - a. serves as the Educational Service Center's spokesperson on fiscal matters
  - b. prepares and analyzes all financial statements
  - c. prepares and submits a monthly financial accounting (and as the board may request or require) of all Educational Service Center funds (assets)
  - d. prepares all reports that are the result of the accounting function
  - e. prepares a full and complete itemized report of the finances of the Educational Service Center at the close of each fiscal year
  - f. is responsible for providing the governing board, administration, federal, state, and other agencies with the timely financial information which they may require
  - g. prepares reports to the proper staff officials concerning the status of their budgetary accounts to guard against the overspending of any appropriation (budget) account.



3. Directs and manages all financial accounting programs and systems:
  - a. sets up and controls (maintains) an accounting system including the establishment and supervision of internal accounting controls (including data processing) adequate to record in detail all financial transactions of the Educational Service Center; recommends new accounting methods as necessary and/or desirable.
  - b. is responsible for the maintenance of a complete and systematic set of financial records in accordance with state statutes and as prescribed by the Auditor of State of all financial transactions of the Educational Service Center.
  - c. acts as general accountant of the board and preserves all accounts, vouchers, and contracts relating to the Educational Service Center; accounts for the receipt and disbursement of cash and provides for the safety of records maintained for the maximum period specified by state law and/or board policy; these records will be available to the board and other appropriate parties
  - d. is responsible for the detailed recording (including data processing entry) of all Educational Service Center financial transactions in appropriate journals and subsidiary ledgers
  - e. prepares payrolls, including deductions; is responsible for the preparation and maintenance of all necessary earnings records, deductions records, and similar personnel payment records; is responsible for reports and warrants to proper agencies covering deductions
  - f. supervises the preparation of studies establishing, appraising, and/or improving financial procedures and internal controls
  - g. provides accounting services (including management information)
  - h. assists with budget development and long-range planning
  - i. works in cooperation with the superintendent and appropriate administrative staff in the projection of revenue and expenditures in preparing and implementing the appropriation resolution (budget) and spending plan for all board funds
  - j. works closely and cooperatively with State examiners/auditors.
  
4. Acts as secretary of the board
  - k. attends all meetings of the Governing Board
  - l. compiles and preserves all official records and reports of the board
  - m. records Governing Board proceedings in the minutes and attests president's signature after board approval; opens, reads, and enters all bids (when bidding required) in the minutes
  - n. executes conveyances of the board (along with board president)
  - o. accepts summons served on the Governing Board
  - p. may conduct auction of Governing Board real and personal property
  - q. serves as a member of the Educational Service Center's Records Commission (along with superintendent and board president)
  - r. supervises the mailing or delivering of meeting agendas and meeting minutes to Governing Board members

5. Other duties as assigned by the Governing Board.

[Adoption Date: 5/28/96]

[Amended Date: 5/30/00]

[Amended Date: 4/24/07]

LEGAL REFS.: ORC 131.18

3301.074

3311.19

3313.14; 3313.15; 3313.22; 3313.24; 3313.26-3313.261; 3313.27;

3313.34; 3313.51

3319.03; 3319.04

5705.41; 5705.45

CROSS REFS.: BCCA-R, Incapacity of Treasurer  
DH, Bonded Employees and Officers

## INCAPACITY OF TREASURER

A Treasurer Pro Tempore shall be appointed by a majority of the members of the Governing Board upon determining that the Treasurer is incapacitated in such a manner that he/she is unable to perform the duties of that office. Such incapacity will be determined in one of the following ways:

1. at the 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;
2. upon certification of the attending physician that the Treasurer is unable to perform the duties of the office of Treasurer and such Treasurer is absent with pay by reason of personal illness, injury or exposure to contagious disease which could be communicated to others;
3. upon the determination of a referee pursuant to Ohio Revised Code Section 3319.16, that the Treasurer is unable to perform the duties of the office of the Treasurer and such Treasurer is absent with pay by reason of personal illness, injury or exposure to contagious disease which could be communicated to others;
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 upon an unrequested leave of absence, without pay, by reason of illness or other disability of the Treasurer pursuant to ORC 3319.13.

During the period of incapacity, the Treasurer shall:

1. at his/her request, be placed on sick leave with pay, not to exceed the extent of his/her accumulated but unused sick leave and any advancement of such sick leave which may be authorized by Board policy or
2. at his/her request, or without such request, pursuant to the Family and Medical Leave Act, be placed on unpaid FMLA leave for up to 12 weeks per year or
3. at his/her request, or without such request, pursuant to ORC 3319.13, be 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 shall, upon request to the Governing Board of the Educational Service Center, be returned to active-duty status, unless the Board denies the request within 10 days of receipt of the request. The Board may require the Treasurer to establish to its satisfaction that the Treasurer is capable of resuming such duties and further, that the duties may be resumed on a full-time basis.

The Governing Board may demand that the Treasurer return to active service and upon the determination that the Treasurer is able to resume his duties, the Treasurer shall return to active service.

The Treasurer may request a hearing before the Governing Board on actions as indicated above taken under this policy and shall have the same rights in such hearing as are granted under ORC 3319.16.

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

The Governing Board shall fix the compensation of the Treasurer Pro Tempore in accordance with ORC 3313.24 and he/she shall serve 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: 5/28/96]

[Amended Date: 2/22/00]

## EVALUATION OF TREASURER

The Governing Board will evaluate the performance of the Treasurer in order to assist both the Governing Board and the Treasurer in the proper discharge of their responsibilities and to enable the Governing Board to provide the District with the best possible leadership.

The objectives of the Governing Board's evaluation will be to:

1. promote professional excellence and 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 shall be based upon the Treasurer's job description and shall relate directly to each of the tasks described. The job description and any revisions thereto shall be developed in consultation with the Treasurer and Superintendent and adopted by the Governing Board.

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

Maintenance of the evaluation criteria will be the responsibility of the Governing Board. Evaluation criteria will be reviewed as necessary, or as requested by the Treasurer or Governing Board, but not less frequently than annually. Any proposed revision of the evaluation criteria shall be provided to the Treasurer for his/her comments before its adoption.

[Adoption Date: 5/28/96]

[Amended Date: 4/19/04]

[Amended Date: 4/24/07]

LEGAL REFS.: ORC 121.22  
3301.074; 3313.22  
OAC Chapter 3301-5

CROSS REFS.: BCC, Qualifications and Duties of the Treasurer  
BCCA-R, Incapacity of the Treasurer

## 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 Governing 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 Governing Board at the time of the appointment and are reviewed by the Governing 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 Educational Service Center employees.

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

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

The 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 Wood County ESC 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 Governing Board from making the final determination regarding the renewal or nonrenewal of the Treasurer's contract.

[Adoption Date: 4/24/07]

[Amended Date: 7/19/11]

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

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

## GOVERNING BOARD-SUPERINTENDENT RELATIONSHIP

The Governing Board believes that the legislation of policies is the most important function of a Board and that the execution of the policies should be the function of the Superintendent and staff.

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

The Governing Board holds the Superintendent responsible for the administration of its policies, the execution of Board decisions, the operation of the internal machinery designed to serve the school program and keeping the Board informed about school operations and problems.

The Governing Board will strive to procure the best professional leader available as its Superintendent of the Educational Service Center. The Board, as a whole and individual members, will:

1. give the Superintendent full administrative authority for properly discharging his professional duties, holding him responsible for acceptable results;
2. act in matters of employment or dismissal of school personnel only after receiving the recommendations of the Superintendent;
3. hold all meetings of the Governing Board in the presence of the Superintendent, except when his contract and/or salary is under consideration;
4. refer all complaints to the Superintendent for appropriate investigation and action;
5. strive to provide adequate safeguards for the Superintendent and other staff members so that they can discharge their educational functions on a thoroughly professional basis and
6. present personal criticisms of any employee directly to the Superintendent.

[Adoption Date: 5/28/96]

## GOVERNING BOARD COMMITTEES

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

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

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

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 121.22

CROSS REFS.: BCB, Governing Board Officers  
BDC, Executive Sessions



## EDUCATIONAL SERVICE CENTER ATTORNEY

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

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

At its annual organizational meeting, the Governing Board may adopt a resolution providing for the employment of legal counsel and setting compensation for the various kinds of legal services to be rendered.

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

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

The Governing Board will establish procedures necessary to effect an efficient working relationship between the counsel and the Board and/or staff members.

[Adoption Date: 5/28/96]

LEGAL REFS.: ORC 309.10  
3313.35  
3319.33

## CONSULTANTS TO THE GOVERNING BOARD

The modern school system is a complex organization established to provide a high quality educational program for children and youth who will live in a complex and changing society; additionally, the District represents an investment of millions of dollars by the public in the cause of public education. In order to pursue its educational mission and also to protect the public's financial investment in the schools, the Governing 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 which the present staff is unable to provide. The kinds of assistance sought from consultants may include, but will not necessarily be limited to: conducting fact-finding studies, surveys and research; providing counsel or services requiring special expertise and assisting the Governing Board in developing policy and program recommendations.

Before engaging any consultant, the Governing 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
6. fees or rate of pay the Board will be charged.

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

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 3313.171

## GOVERNING BOARD MEETINGS

The Governing Board recognizes that the superintendent and treasurer are vital components of the policy team of the Educational Service Center, providing insight, and data which board members may not possess; therefore, no meetings of the Governing Board will be held without these individuals being invited although from time to time circumstances may prevent their attendance.

The Governing Board will transact all business at official meetings of the Board. These may be either regular or special meetings, defined as follows:

1. Regular Meeting -- the usual official legal action meeting, held regularly.
2. Special Meeting -- an official legal action meeting called between the scheduled regular meetings to consider specific topics.

All regular and special meetings of the Governing Board are open to the public, educational service center personnel and members of the news media. Board meetings will be publicized properly in compliance with the State law. Executive sessions may be called and conducted in compliance with the Sunshine Law. No action may be taken in executive session.

[Adoption Date: 5/28/96]

[Amended Date: 4/24/07]

LEGAL REFS.: ORC 121.22  
3313.15; 3313.16

CROSS REFS.: BDC, Executive Sessions  
BDDA, Notification of Governing Board Meetings

## EXECUTIVE SESSIONS

Educational matters should be discussed and decisions made at public meetings of the Governing Board in accordance with the rationale for the creation of public governing bodies; however, some matters are more properly discussed by the Board in private session. As permitted by law, such matters may involve the following:

1. to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of an employee, official or student, or the investigation of charges or complaints against such an individual, unless an employee, official or student requests a public hearing. The Governing 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. to consider 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 rules or State statutes;
5. preparing for, conducting or reviewing negotiations with employees concerning their compensation or other terms and conditions of their employment;
6. in-person conferences with an attorney for the Governing Board concerning disputes involving the Governing 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 involved 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 Governing 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 Governing Board will meet in executive session only to discuss legally authorized matters. Executive sessions will be held only as part of a regular or special meeting and only after a majority of the Board "quorum" determines, by a roll-call vote, to hold such a session.

When the Governing Board holds an executive session for any of the reasons stated under paragraph 1 above, the motion and vote to hold the executive session shall state one or more of the purposes listed under such paragraph for which the executive session is to be held, but need not include the name of any person to be considered within the executive session. The minutes shall reflect the information described above.

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

The Governing Board may invite staff members, in addition to the Superintendent, or others to attend closed sessions at its discretion.

Governing 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: 5/28/96]

[Amended Date: 2/25/14]

LEGAL REF.: ORC 102.03  
121.22

CROSS REF.: AFBA, Evaluation of the Treasurer (Also BCCB)  
BCD, Board-Superintendent Relationship (Also CBI)  
BCE, Board Committees  
BD, Governing Board Meetings  
BDDG, Minutes  
KBA, Public's Right to Know  
KLD, Public Complaints About School Personnel

## NOTIFICATION OF GOVERNING BOARD MEETINGS

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

Organizational Meeting: Notice of organizational meetings, including any special or regular meeting following the organizational meeting, will be given in the same manner as notice for regular and special meetings of the Governing 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 Governing 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 Governing 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 Governing 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: 5/28/96]

[Amended Date: 3/24/98]

LEGAL REFS.: ORC 121.22  
3313.15; 3313.16

## AGENDA FORMAT

The Superintendent will arrange the order of items on meeting agendas so that the Governing 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.

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

The Governing Board will follow the order of business established by the agenda, except as it may vote to re-arrange the order for the convenience of visitors or other individuals appearing before the Board or to expedite Board business.

[Adoption Date: 5/28/96]

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



## AGENDA PREPARATION AND DISSEMINATION

The agenda for all meetings of the Governing Board will be prepared by the Superintendent and Directors.

Items of business may be suggested by a Governing Board member, staff member or citizen of the District. The agenda will always allow suitable time for the remarks of 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 rearrange the order for the convenience of visitors or other individuals appearing before the Board or to expedite Board business. Prior to adopting the agenda, 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. Once the agenda is approved, a two-thirds vote of the Board is required to make additional modifications. The Board should not revise Board policies, or adopt new ones, unless such action has been scheduled.

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

[Adoption Date: 5/28/96]

[Amended Date: 02/25/2020]

CROSS REF.: BDDB, Agenda Format

BDDH, Public Participation at Board Meetings (Also KD)

## VOTING METHOD

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

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

1. any action on which a Governing Board member requests a roll call vote;
2. all actions referred to below which require more than a majority vote of full membership for passage and
3. 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 Governing Board for passage:

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

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

[Adoption Date: 5/28/96]

LEGAL REFS.: ORC Chapter 133  
3313.11; 3313.18; 3313.22; 3313.23; 3313.66(E)  
3319.01; 3319.07; 3319.11  
3329.08  
5705.14; 5705.16; 5705.21

VOTING METHOD  
(5-Member Board)

ITEM	# NEEDED	REFERENCE ORC
Declare it necessary to issue bonds 133.01(U)	3 (a)	133.18 /
Declare by remaining members, that reasons for a member's absence for 90 days is 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

Voting Method - Continued

ITEM	# NEEDED	REFERENCE ORC
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

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

[Amended Date 05/28/13]

## MINUTES

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

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

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

A complete and accurate set of minutes will be prepared and become a regular part of the monthly agenda. The Treasurer may make copies of proposed minutes available for public inspection. The minutes will be signed by the President and attested to by the Treasurer following approval of the minutes by the Governing Board at the next meeting.

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

[Adoption Date: 5/28/96]

LEGAL REFS.: ORC 121.22  
3313.26

## PUBLIC PARTICIPATION AT GOVERNING BOARD MEETINGS

All meetings of the Governing Board will be open to the public.

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

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

Agendas will be distributed to all those who attend Governing 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: 5/28/96]

[Amended Date: 02/25/2020]

LEGAL REFS.: ORC 121.22  
3313.20

CROSS REFS.: BD, Governing Board Meetings  
BDDDB, Agenda Format  
BDDC, Agenda Preparation and Dissemination

## BROADCASTING AND TAPING OF GOVERNING BOARD MEETINGS

Photographic and electronic audio and video broadcasting and recording devices may be used at regular and special Educational Service Center meetings legally open to the public according to the following guidelines:

1. Photographs, broadcasting and recordings of meetings are permitted only when all parties involved have been informed that cameras, broadcasting and/or recording devices will be used.
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 Governing 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 Governing Board has the right to halt any recording that interrupts or disturbs the meeting.

The Governing Board will make the necessary arrangements to have audio recordings of all regular meetings and any special meeting that it deems appropriate.

[Adoption Date: 5/28/96]

LEGAL REFS.: U.S. CONST. amend. I  
ORC 121.22  
2911.21  
2917.12  
2921.31  
3313.20

## GOVERNING BOARD POLICY DEVELOPMENT

All school Boards in the State of Ohio are required to formulate policies and regulations for the efficient and orderly operation of the schools under their control. Adopted policies serve as a guide for the administration and help to promote common understanding and uniformity in the basic procedures and operations of all the individual schools of the District.

It also becomes imperative to have definite statements of policy in order that the District may measure up to the increasing demands being thrust upon public education. Policy development will include as much information from as many sources as feasible. Policies must be re-evaluated and appraised periodically in order that they may serve all District schools in the best possible manner. If the application of any policy or regulation violates or infringes upon the educational purposes of the schools, it should be considered the duty of every employee to report that fact to the proper authorities and to offer some suggestion for improvement.

The Governing Board sincerely believes that by establishing a clear-cut course of communication among school officials, employees and the community, it can provide a stimulating educational environment. This will help create an Educational Service Center which is not only a pleasant place in which to work but one which encourages everyone to do his best possible work.

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 3313.20

CROSS REFS.: CH, Policy Implementation



## PRELIMINARY DEVELOPMENT OF POLICIES

Proposals regarding school District policies and operations may originate at any of several sources including parents, students, community residents, employees, Governing Board members, the Superintendent, Directors or civic groups. A careful and orderly process will be used in examining such proposals prior to action upon them by the Governing Board.

Final action on such proposals, whatever their source, will be by the Governing Board in accordance with its policy on policy adoption. The Board will take action on most matters on the basis of recommendations presented by the Superintendent. The Superintendent will base his recommendations upon the results of study and upon the judgment of the professional staff and study committees.

[Adoption Date: 5/28/96]

P I N FORM  
(Problem-Issue-Need for Policy Development)

\_\_\_\_\_

CODE: \_\_\_\_\_  
(Office Use Only)

PROBLEM-ISSUE-NEED (Brief Description) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SUPPORTIVE DATA AS TO WHY A CHANGE IS NEEDED \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SUGGESTED LANGUAGE CHANGE \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Submitted by                      Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

## POLICY ADOPTION

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

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

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

[Adoption Date: 5/28/96]

[Amended Date: 3/19/01]

File: BFCA (Also CHB)

## GOVERNING BOARD REVIEW OF REGULATIONS

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

Regulations need not be approved by the Governing Board in advance of issuance, except as required by State law or in cases when strong community attitudes or possible student or staff reaction, make it necessary or advisable for the regulation to have the Board's advance approval. The Board's approval of regulations will be accomplished by the same procedure established for the adoption of policies.

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

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 3313.20

CROSS REF.: CHC, Regulations Dissemination

## 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 is to extend to all employees of the school District, to members of the Governing Board and, insofar as possible, to all persons in the District. A policy concerning a particular group or groups in the schools will be distributed to those groups prior to the policy's effective date.

Distributed policy manuals will remain the property of the Governing Board and will be 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 Governing Board's policy manual will be considered a public record and will be open for inspection at the Superintendent's office.

[Adoption Date: 5/28/96]

LEGAL REF.: OAC 3301-35-03

File: BFE (Also CHD)

#### ADMINISTRATION IN POLICY ABSENCE

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

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

[Adoption Date: 5/28/96]

## SUSPENSION OF POLICIES

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

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

[Adoption Date: 5/28/96]

## POLICY REVIEW AND EVALUATION

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

The Governing Board will evaluate how the policies have been executed by the Educational Service Center staff and will weigh the results. It will rely on the service center staff, students and the community for providing evidence of the effect of the policies which it has adopted.

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

[Adoption Date: 5/28/96]



## GOVERNING BOARD-STAFF COMMUNICATIONS

The Governing Board wishes to maintain open channels of communication with the staff. The basic line of communication will be through the Superintendent.

### Staff Communications to the Governing Board

All communications to the Governing Board or any of its subcommittees from staff members will be submitted through the Superintendent. Staff members are also reminded that Governing Board meetings are public meetings and that they provide an excellent opportunity to observe, firsthand, the Board's deliberations.

### Governing Board Communications to Staff

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep staff members fully informed of the Governing Board's problems, 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 (i.e., for a specific or official purpose), Board members shall inform the Superintendent of such visit and make arrangements for visitations through the Director. Board members will indicate to the Director the reason(s) for the visit. Official visits by Board members are carried out only under Board authorization.

[Adoption Date: 5/28/96]

[Amended Date: 7/24/01]

LEGAL REF.: ORC 3313.20

CROSS REF.: GBM, Staff Complaints and Grievances

## NEW GOVERNING BOARD MEMBER ORIENTATION

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

The Governing Board, its Treasurer and the administrative staff will assist each member-elect to understand the Board's functions, policies and procedures before the member-elect takes office.

The following techniques may be employed to orient new Governing Board members:

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

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 3315.15

## GOVERNING BOARD CONFERENCES, CONVENTIONS AND WORKSHOPS

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

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

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 3315.15

CROSS REF.: DLC-R, Expense Reimbursements

## GOVERNING BOARD MEMBER COMPENSATION AND EXPENSES

As permitted by law, the Governing Board will vote prior to January 1 to set the rate of compensation for the members of the Board. Compensation for Board members may not be increased during their terms of office. Increases in compensation for Board members must be made prior to the beginning of their respective terms.

Beginning January 1, 2004, Board members will receive \$125.00 per meeting.

### Governing Board Service Fund

Action will be taken at the annual organizational meeting on the establishment of a Governing Board "service fund" to pay expenses actually incurred by Board members or members-elect in their official duties. An Educational Service Center may annually set aside from the Educational Service Center fund an amount not to exceed \$20,000 for the creation of a service fund. This fund will be used at the Governing Board's discretion to provide for members' participation in workshops and conferences, for new Governing Board member orientation and development and for other expenses in connection with assigned duties as permitted by law.

### Spending Guidelines: Definition of Public Purpose

The Board recognizes that expenditure of funds within the Educational Service Center 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 co-curricular programs concerned, once reviewed and approved by the Superintendent.

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

The Superintendent, at the discretion of the Board, is permitted to honor its employees and non-employees with plaques, pins and other tokens of appreciation to include meals, refreshments or other amenities which further the interest of the Educational Service Center.

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 Education Service Center's educational program with citizens, members of the business community, advisory committee members and associated school districts. Expenditures are subject to approval by the Superintendent.

Vendor Compensation

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

[Adoption Date: 5/28/96]

[Amended Date: 7/24/01]

[Amended Date: 12/17/03]

[Amended Date: 7/19/05]

[Amended Date: 6/22/10]

LEGAL REFS.: Ohio CONST. art II, § 20  
ORC 3311.19  
3313.12  
3315.15  
5705.11; 570510

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  
JL, Student Gifts and Solicitations

## GOVERNING BOARD LEGISLATIVE PROGRAM

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

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

[Adoption Date: 5/28/96]

## EVALUATION OF GOVERNING BOARD OPERATIONAL PROCEDURES

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

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

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

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

[Adoption Date: 5/28/96]

CROSS REFS.: BCB, Governing Board Officers  
BCD, Governing Board-Superintendent Relationship (Also CBI)  
BD, Governing Board Meetings  
BF, Governing Board Policy Development  
BHA, New Governing Board Member Orientation  
CD, Management Team  
DA, Fiscal Management Goals