



## **Governance Process Policies**

**Adopted: July 20, 2004**

**Revisions to Governance Process Policies**

**File: 1083**

<b>Date</b>	<b>Policy #</b>	<b>Policy Title</b>
5-13-08	1077	Public Participation at Board Meetings
5-27-08	1072.1	Safety and Security of Executive Session

**BOARD REVIEW OF REGULATIONS**

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

Regulations need not be approved by the 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 advanced 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 Board. Those officially approved by the Board will be so marked; all others appearing in the administration handbook will be considered approved provided they are in accordance with Board policy.

ORC 3313.20

**POLICY REVIEW AND EVALUATION**

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

The Board will evaluate how the policies have been executed by the school staff and will weigh the results. It will rely on the school 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The superintendent is given the continuing responsibility of calling to the Board's attention all policies that are out-of-date or for other reasons appear to need revision. To accomplish this, the superintendent may request input from any Board or advisory committee.

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\*Required

Current Policies of the School Board are in the Treasurer's Office and on the District's Official Website

**SCHOOL BOARD POWERS AND DUTIES**

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

The Olentangy Board of Education considers the following to be its major responsibilities:

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

ORC 3313.18; 3313.20; 3313.22; 3313.37; 3313.375; 3313.39; 3313.47; 3313.94  
3315.07  
3319.01  
5705.01(A); 5705.03; 5705.28

**SUSPENSION OF POLICIES**

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

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

**POLICY ADOPTION**

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

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

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

**BOARD MEMBER AUTHORITY  
(And Duties)**

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

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

It will be the duty of the individual members of the Board of Education 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.

ORC 121.22  
3313.18; 3313.33

**NONDISCRIMINATION**

The Board will not permit discriminatory practices. To assure compliance with this policy the Board will:

1. promote the rights and responsibilities of individuals as set forth in the state and federal Constitutions, pertinent legislation and applicable judicial interpretations;
2. encourage positive experiences for children, youth and adults;
3. work toward a more integrated society and enlist the support of individuals, as well as private and governmental groups and agencies, in such an effort;
4. use communication and action techniques to air and reduce the grievances of individuals and groups;
5. consider the potential benefits or adverse consequences that the Board's decisions might have on the human relations aspects of the school community; and
6. initiate a process of reviewing policies and practices of this school system in order to help achieve the objectives of this statement.

The Board's policy of nondiscrimination will extend to students, staff, job applicants, the general public and individuals with whom it does business, and will apply to citizenship status, economic status, disability and other human differences.

Civil Rights Act, Title VI; 42 USC 2000d et seq.  
 Civil Rights Act , (Amended 1972), Title VII: 42 USC 2000e et seq.  
 Education Amendments of 1972, Title IX; 20 USC 1681  
 Executive Order 11246, as amended by Executive Order 11375  
 Equal Pay Act; 29 USC 206  
 Rehabilitation Act; 29 USC 794  
 Individuals with Disabilities Education Act; 20 USC 1401 et seq.  
 Age Discrimination in Employment Act; 29 USC 623  
 Immigration Reform and Control Act; 42 USC 1324a et seq.  
 Americans with Disabilities Act; 42 USC 12112 et seq.  
 Ohio Const. Art. I, Sec. 2  
 ORC 3323.01  
 Chapter 4112  
 OAC 3301-35-02(A) (1); 3301-35-03(A)

Each person who wishes to address the Board during the first public comments session must complete a "Public Participation" form and give the form to the treasurer prior to the beginning of the meeting.

Prior to addressing the Board, the speaker must identify him/herself (including home address) for the taped record. Each speaker must limit his/her comments to no more than five (5) minutes. This time limit will be strictly enforced. The length of the first period of public participation should not exceed thirty (30) minutes.

**SECOND PUBLIC PARTICIPATION SESSION**

An additional period of public participation will take place immediately prior to the "Action Items" section of the agenda, provided such comments are related directly to a particular item on the agenda. Speakers who wish to comment during this section of the agenda will also be restricted to no more than five (5) minutes of presentation time, and an overall thirty (30) minute time limitation will be in force for this second public comment session.

Those wishing to address the Board during this second public comment session must have submitted a completed "Public Participation" form to the treasurer no later than the beginning of the "Action Items" section of the meeting.

ORC 121.22  
 3313.20

[Second Adoption Date: May 13, 2008]  
 [Adoption Date: August 24, 2004]

**PUBLIC PARTICIPATION AT BOARD MEETINGS**

All meetings of the Board will be open to the public. Executive Sessions, as called for by the Board to discuss specific issues, in accordance with Ohio law, are not open to the public.

Regular meetings of the Board are for the strict purpose of providing the Board an opportunity to discuss and respond to issues and to take action in public view. Therefore, the procedures described herein will govern public participation at all regular Board meetings and will be strictly followed.

The Board of Education welcomes public comment at its meetings and is committed to providing meaningful opportunities for the public to participate. The Board encourages the public to offer comments and express opinions on both specific actions to be taken by the Board, as well as any other issue directly related to the operation of Olentangy schools. However, speakers are strongly encouraged to discuss their comments and concerns with appropriate school staff members, administrators, and/or Board members before directing such comments to the entire Board during a meeting.

During any public participation session, after all of the speakers have spoken and if time is remaining, each board member will be allowed to make a brief clarifying statement regarding any statement said by the public during the public participation session.

The Board may refer questions/concerns brought by public participants to the Superintendent for review. The Superintendent will report back to the Board after his/her review.

Presiding Board member may shorten or lengthen the overall thirty (30) minute comment period as well as the speaker's five (5) minute time limit should the member deem it necessary. If there is a disagreement by the Board with the presiding member's decision, a vote will be taken, and the majority position will prevail.

Persons desiring more time for a presentation to the Board than is described in this policy should follow the procedure as outlined in Board Policy (Agenda Preparation and Dissemination).

**FIRST PUBLIC PARTICIPATION SESSION**

A first session for public comment will be noted on the meeting agenda and will take place immediately prior to the "Discussion Items" section on the agenda. Any person may address the Board on matters relevant to the school district.

**NONDISCRIMINATION ON THE BASIS OF DISABILITY**

Section 504 of the Rehabilitation Act of 1973 and its accompanying regulations apply to all school systems receiving federal funds. The Olentangy School District is the recipient of federal funds; furthermore, the Board maintains that discrimination against a qualified disabled person solely on the basis of the disability is unfair. To the extent possible, qualified disabled persons should be in the mainstream of life in a school community.

Accordingly, employees of this school district will comply with, to the extent possible, requirements of the law and policy statements of this Board to ensure nondiscrimination on the basis of disability. The following will be expected:

1. No one will discriminate against qualified disabled persons in any aspect of school employment solely on the basis of the disability.
2. Facilities, programs and activities will be made available to qualified disabled persons.
3. Free, appropriate education at elementary and secondary levels, including nonacademic and extracurricular services and activities, will be provided to qualified disabled persons.
4. No one will exclude any qualified disabled person solely on the basis of disability from participation in any preschool education or day care program or activity, or any adult education or vocational program.
5. Each qualified disabled person will be provided with the same health, welfare and other social services that are provided to others.

Individuals with Disabilities Education Act; 20 USC 1401 et seq.  
Rehabilitation Act; 29 USC 794  
Americans with Disabilities Act, 42 USC 12112 et seq.  
ORC 3323.01 et seq.  
Chapter 4112

**NONDISCRIMINATION ON THE BASIS OF SEX**

The U.S. Department of Education has published regulations for implementing Title IX of the Education Amendments of 1972, which prohibits sex discrimination in federally assisted education programs.

Title IX states, in part, that, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

The Board hereby states its intention to ensure compliance with Title IX of the Education Amendments of 1972, as affected by Title VI of the Civil Rights Act of 1964, and the regulations promulgated through the U.S. Department of Education.

- Civil Rights Act, Title VI; 42 USC 2000d et seq.
- Civil Rights Act , (Amended 1972), Title VII: 42 USC 2000e et seq.
- Education Amendments of 1972, Title IX; 20 USC 1681
- Executive Order 11246, as amended by Executive Order 11375
- Equal Pay Act; 29 USC 206
- Ohio Const. Art. I, Sec. 2
- ORC Chapter 4112
- OAC 3301-35-03(A)

**MINUTES**

The minutes of the meetings of the Board constitute the written record of Board action. 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 regular or special meeting, the time, the place, the members present and the approval of minutes of the preceding meeting or meetings; the complete record of official action taken by the Board relative to the superintendent's recommendations, communications and all business transacted; items of significant information bearing on action; and record of adjournment.

The treasurer will include the motion, the name of the member making the motion, the name of the member seconding it, and will 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. Once prepared, 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 their approval by the Board at the next meeting.

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

ORC 121.22  
3313.26

## VOTING METHOD

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

All actions require a roll call vote as mandated by state statute.

ORC Chapter133  
3313.18  
3329.08  
5705.14; 5705.16; 5705.21

## SEXUAL HARASSMENT

The Board supports the principle of Equal Opportunity Employment. It is the policy of this Board to recruit, hire, train, pay, promote, discipline, provide benefits and all other employment opportunities in compliance with applicable federal, state and local laws.

All employees of the school district have a right to work in an environment free of discrimination, which encompasses freedom from sexual harassment.

The Board of Education opposes sexual harassment in any form and has developed complaint procedures that will be available to victims. The Board has also identified disciplinary penalties that could be imposed for the offenders.

Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

1. submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development;
2. submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

The Grievance Officer: The Board will annually appoint the superintendent, who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out. If the superintendent is charged, the Board will appoint another officer.

All employees should be aware that the privacy of the charging party and the person accused of sexual harassment will be kept strictly confidential.

Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, Title VII; 42 USC 2000e et seq.  
Education Amendments of 1972, Title IX; 20 USC 1681  
Executive Order 11246, as amended by Executive Order 11375  
Equal Pay Act; 29 USC 206  
Immigration Reform and Control Act; 42 USC 1324a et seq.  
Ohio Const. Art. I; Sec. 2

**SCHOOL BOARD MEMBER ETHICS**

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

- 1. It is unethical for a Board member to:
  - a. seek special privileges for personal gain;
  - b. personally assume unauthorized authority;
  - c. criticize school employees publicly;
  - d. disclose confidential information; or
  - e. place the interest of one group or community above the interest of the entire school district.
  
- 2. It is unethical for a Board of Education to:
  - a. withhold facts from the superintendent, particularly about the incompetence of an employee;
  - b. consider complaints against a teacher that are not first submitted to the superintendent; or
  - c. announce future action before the proposition has been discussed by the Board of Education.

ORC 102.03; 102.04  
 2921.01(B); 2921.42; 2921.43; 2921.44  
 3313.13  
 3319.21

**AGENDA FORMAT**

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

The Board will follow the order of business established by the agenda, except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Board or to expedite Board business.

**AGENDA PREPARATION AND DISSEMINATION**

The agenda for all meetings of the Board shall be prepared by the superintendent, in consultation with the Board President.

Items of business may be suggested by a 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 will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item. The Board, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, will be distributed to Board members at least 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.

**BOARD MEMBER QUALIFICATIONS/OATH OF OFFICE**

Under law, a board of education 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 who is 18 years of age or older, a resident of the state for 30 days prior to the election, and a resident of the county and precinct in which s/he offers to vote.

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

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

ORC 3313.10; 3313.13; 3313.70  
3503.01

**SCHOOL BOARD ELECTIONS**

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

The term of office is four years or until a qualified successor is elected, and the new member assumes office on the first day of January after the election. Terms shall expire on December 31, except as otherwise provided by law.

Candidates for election are nominated by petition. The petition must be signed by 25 qualified electors of the school district, or not less than one percent of the number of school district electors who voted for governor in the last election, whichever is the greater. Petitions must be filed 75 days before the election.

- ORC 3.01
- 3311.052
- 3313.02; 3313.04; 3313.05; 3313.07; 3313.08; 3313.09; 3313.11
- 3501.01; 3501.02; 3501.38
- 3503.01; 3503.02
- 3505.04
- 3513.254; 3513.255

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

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

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

- ORC 102.03
- 121.22

**SAFETY AND SECURITY OF EXECUTIVE SESSION**

Board members shall not take any electronic communication devices into an executive session entered into for any reason authorized and/or required by the Sunshine Law. "Electronic communication device" shall include, without limitation, any audio or video recording device, cell phone, BlackBerry®, personal data assistant, pager or other two-way communication instrument. A medical device, such as a hearing aid, used solely for the purpose of amplifying sound, shall not be considered an "electronic communication device."

Except as otherwise expressly provided in this policy, Board members shall leave all electronic communication devices and all personal effects or accessories that could be used to conceal such devices, such as brief cases, purses, backpacks, book bags and overcoats, in the secure possession of the treasurer or designee before entering into executive session.

The treasurer or designee will monitor the electronic communication devices in his or her secure possession during executive session. In the event of an emergency communication, the treasurer or designee will interrupt the executive session to notify the Board member receiving the communication. The Board member shall be excused from executive session to attend to the emergency communication. A Board member who does not wish to have his or her electronic communication devices monitored while the Board is in executive session shall express this intent to the treasurer in writing, and the intent will be honored unless and until it is revoked by a subsequent written notice.

[Adoption Date: May 27, 2008]

**EXECUTIVE SESSIONS**

Educational matters should be discussed and decisions made at public meetings of the Board to fulfill 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 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 or information would give an unfair advantage to a person whose personal, private interest is adverse to the general public interest;
3. to consider 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. to consider matters required to be kept confidential by federal law or rules or state statutes;
5. to prepare for, conduct or review negotiations with employees;
6. to hold conferences with an attorney involving pending or imminent court action; and
7. to hold conferences called by a member of the Ohio Auditor's Office or an appointed Certified Public Accountant for the purpose of an audit.

The Board will meet in closed session only to discuss such sensitive matters. Closed 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 Board holds an executive session for any of the reasons stated under Number 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. It need not include the name of any person to be considered within the executive session. If the Board holds an executive session to consider any of the matters listed in Numbers 2-7, the motion and vote to hold the executive session shall state which one or more of these matters are to be considered within the executive session. The minutes shall reflect the information described above.

**UNEXPIRED TERM FULFILLMENT**

A vacancy in the Board may be caused by:

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

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

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

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

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

ORC 3.01; 3.02  
3313.11; 3313.85

**NEW BOARD MEMBER ORIENTATION**

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

The 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 Board members:

1. Selected materials, 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 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 Board will make an effort to send newly elected members to workshops and in-service programs developed for new members.

ORC 3315.87; 3315.871

**SCHOOL BOARD MEETINGS**

The 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 Board are open to the public, school personnel and members of the news media. Board meetings will be publicized properly in compliance with state law. Executive sessions may be called and conducted in compliance with the Sunshine Law. No action may be taken in executive session.

ORC 121.22  
3313.15; 3313.16

### NOTIFICATION OF BOARD MEETINGS

Due notice of all official meetings of the Board will be given to the press, the public and all Board members.

Organizational Meeting: Notice of organizational meetings, including any special or regular meeting following the organizational meeting, will be given in the same manner as notice for regular and special meetings of the Board.

Regular Meeting: A notice of the time and place of regularly scheduled meetings, or of any change in time or place thereof, will be given to the media and those requesting advance personal notice at least 48 hours prior to the meeting.

Special Meeting: A special meeting may be called by the President or the treasurer or by any two members of the Board by serving written notice of the time and place of the meeting upon each Board member at least 48 hours before the date of the meeting. The notice must be signed by the officer or members calling the meeting. Notice by mail is authorized.

The Board will not hold a special meeting unless it gives at least 24 hours advance notice to the news media that have requested notification. However, in the event of any emergency, the members calling the meeting will notify the media that have requested notification immediately of the time, place and purpose of the meeting.

Personal Notice of Meeting: Any person who wishes to receive advance personal notice of any change in time or place of a regular or special meeting of the Board may receive the advance notice by requesting the treasurer put his/her name on a mailing list and by providing the treasurer with a supply of stamped, self-addressed envelopes.

ORC 121.22  
3313.15; 3313.16

### BOARD MEMBER CONFLICT OF INTEREST

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

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

In the event a Board member is employed by a corporation or business that furnishes goods or services to the school district, 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 district from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing Board members in a position where personal interest in the public school and place of employment might conflict and to avoid appearances of conflict of interest even though such conflict may not exist.

The law specifically forbids:

1. the prosecuting attorney or city attorney from serving on the Board of Education;
2. a Board member from serving as the school dentist, physician or nurse;
3. a member from being employed for compensation by the Board;
4. a member from having, directly or indirectly, any pecuniary interest in any contract with the Board;
5. a member from voting on a contract with a person as a teacher or instructor, if s/he is related to that person as father, mother, brother or sister;
6. a member from authorizing or employing the authority or influence of his/her office to secure authorization of any public contract in which s/he, a member of his/her family, or any of his/her business associates has an interest;
7. a member from having an interest in the profits or benefits of a public contract entered into by or for the use of the school district; and
8. during his/her term of office or within one year thereafter, a member from occupying any position of profit in the prosecution of a public contract authorized by him/her or the Board of Education which s/he was a member at the time of authorization and not let by competitive bidding, or let by competitive bidding in which his/hers is not the lowest and best bid.

ORC 102.03  
2921.02(B); 2921.42; 2921.43  
3313.13; 3313.33; 3313.70  
3319.21  
4117.20

**BOARD MEMBER COMPENSATION AND EXPENSES**

As permitted by law, the 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 term of office. Such increases must be made prior to the beginning of the term.

**Board Service Fund**

Action will be taken at the annual organizational meeting on the establishment of a Board "service fund" to pay expenses actually incurred by Board members or members-elect in their official duties. The sum set aside will not exceed the amount permitted by law. This fund will be used at the Board's discretion to provide for members' participation in workshops and conferences, for new Board member orientation and development, and for other expenses in connection with assigned duties as permitted by law.

Ohio Const. Art II, Sec. 20

ORC 3311.19  
3313.12  
3315.15

**CONSULTANTS TO THE 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 school system 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 Olentangy Schools may, from time to time, engage the services of qualified professional consultants. It may be for the purposes of providing new insights and ideas for dealing with especially difficult problems and/or providing special services, which 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 Board in developing policy and program recommendations.

Before engaging any consultant, the Superintendent 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 Board will establish procedures necessary to effect an efficient working relationship between the consultant and the Board and/or staff members.

ORC 3313.171

SCHOOL ATTORNEY

The Board may employ legal counsel as necessary and pay for legal services from school funds.

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

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

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

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

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

ORC 309.10  
 3313.35  
 3319.33

BOARD ORGANIZATIONAL MEETING

In accordance with law, the Board will meet during the first 15 days of January of each year for the purpose of electing a President and Vice President from among its membership and taking action on other matters of annual business. The treasurer will canvass the new Board, prior to December 31 of each year, to establish the date of the organizational meeting.

Meeting Procedures

1. The Board will appoint a President Pro Tempore from its membership, who will call the meeting to order.
2. The official swearing in or administration of the oath to the new members should follow. If the oath has already been taken, it should be stated as to where and when for the record. If the oath has not been previously taken, the treasurer, any member of the Board or any person qualified to administer an oath may do so.
3. The President Pro Tempore 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 Board will then proceed with items of annual business such as:
  - a. setting the dates and time of regular Board meetings;
  - b. appointing legal counsel for the ensuing calendar year;
  - c. electing a treasurer in those years the treasurer's term expires and establishing a salary;
  - d. purchasing liability insurance for Board members;
  - e. appointing a legislative liaison;
  - f. adopting a budget for the new fiscal year (before January 15); and
  - g. securing a performance bond for the superintendent and treasurer and all Board of Education members.
6. Upon conclusion of the annual business, the Board will enter into such regular or special business as appears on the agenda for the meeting.

ORC 3313.10; 3313.14; 3313.15; 3313.203; 3313.22; 3313.25; 3313.87

**SCHOOL BOARD LEGISLATIVE PROGRAM**

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

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

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

**INCAPACITY OF TREASURER**

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

Should the treasurer become incapacitated, the Board will appoint a Treasurer Pro Tempore. The appointment will be made by a majority vote of the Board and only after the conditions relating to incapacity of the treasurer are met.

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

The Treasurer Pro Tempore shall meet the licensing requirements established by the State Board of Education. The Treasurer Pro Tempore may not be a member of the Board or otherwise regularly employed by the district.

Family and Medical Leave Act; 29USC 2601 et seq.  
ORC 3313.23; 3313.24