

# **North Fork Local School District Board of Education Handbook**



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## **Purpose of the Handbook**

The North Fork Local School District Board of Education has created this handbook for the following reasons:

1. To serve as a document that holds each member accountable to the roles and responsibilities of serving as a Board member
2. To serve as an informative document for community members who are considering running for election to become a Board of Education member
3. To serve as an informative document to the North Fork Local Schools community on the roles and responsibilities of a Board member

This handbook is not meant to be “all-inclusive,” but rather it is designed to cover major topics.

## **Mission Statement**

Working together with committed employees, parents, and community partnerships will ensure every student has the opportunity to learn at a rate consistent with his/her ability. All students will work towards becoming responsible citizens and mastering the skills of lifelong learning to the maximum of their potential.

## **Vision**

The North Fork Local School District will provide and inspire achievement and accountability that maximizes quality learning.

## **Goals**

1. Our students will perform at a level that surpasses or is equal to their anticipated level of achievement based on state standards and measured ability.
2. We will promote high expectations for students in all curriculum areas to promote productive citizens for the future.
3. We will create a district wide culture, which promotes diversity, in which all students and employees will demonstrate safe, responsible, and respectful behaviors.
4. We will use different forms of communication and public relation tools to develop a sense of community for the North Fork School District.
5. We will promote and encourage employee professional development for continued growth within the "Best Practices" of education.

## **District Information**

The North Fork Local School District, also known as Utica, rests in the lush rolling hills of Northern Licking County and the Southern portion of Knox County. The district includes the townships of Burlington, Clay, Eden, Mary Ann, McKean, Morgan, Newton, and Washington. The district boundaries trace over 133 square miles.

The North Fork Local Schools are made up of Utica High School, Utica Middle School, Newton Elementary and Utica Elementary which serve over 1656 students. The district employs approximately 200 staff members dedicated to the education of our students.

## **Students**

Our district has an enrollment of 1587 students in Kindergarten through 12th grade.

## **Employees**

As of January 2022, the district employs 113 certified staff and 74 classified staff.

## **Board of Education**

Teaching and learning occurs in complex ecosystems, dynamic environments where teachers, students, materials and supplies, concepts, social structures, and architectures are interdependently related and interactive. We have an important job: we are charged with developing in young people the knowledge, practices, and habits of mind that enable them to build lives rich with meaningful action, intellectual engagement, compassion, public responsibility, and ongoing learning for their full life span. As a staff, we are charged with an even more complex and challenging job: to contribute to the culture through advancing knowledge and understanding and through demonstrating intellectual leadership. Building on what was taught from the previous year we can develop instruction from the foundation of kindergarten through the student's senior year.

## **Board Powers (By-Law 0122)**

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

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

## **Member Powers (By-Law 0122.1)**

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

If in the opinion of the Superintendent a Board member's request(s) for facts and information is administratively unreasonable, s/he may withhold said facts or material until a ruling is made by the Board.

## **Code of Ethics (By-Law 0123)**

### **123 - CODE OF ETHICS/CODE OF CONDUCT**

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

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

- A. remember that my first and greatest concern must be the educational welfare of all students attending the public schools;
- B. obey the laws of Ohio and the United States;
- C. respect the confidentiality of privileged information.
- D. recognize that as an individual Board member I have no authority to speak or act for the Board.
- E. work with other members to establish effective Board policies.
- F. delegate authority for the administration of the schools to the Superintendent and staff.
- G. encourage ongoing communications among Board members, the Board, students, staff, and the community.
- H. render all decisions based on the available facts and my independent judgment rather than succumbing to the influence of individuals or special interest groups.
- I. make every effort to attend all Board meetings.
- J. become informed concerning the issues to be considered at each meeting.
- K. improve my boardmanship by studying educational issues and by participating in in-service programs;
- L. support the employment of staff members based on qualifications and not as a result of influence.
- M. cooperate with other Board members and administrators to establish a system of regular and impartial evaluations of all staff;
- N. avoid conflicts of interest or the appearance thereof.

- O. refrain from using my Board position for benefit of myself, family members, or business associates.
- P. express my personal opinions, but once the Board has acted, accept the will of the majority.

In addition, the Board of Education believes that each member should agree to work cooperatively and effectively with others and conform his/her behavior to the following code of conduct by collectively and individually agreeing to:

- A. abide by the code of ethics promulgated by the Ohio School Boards Association.
- B. act as an advocate for the Schools and for children.
- C. set high expectations for the work of the Board.
- D. keep the Board's primary focus on the best interests of students.
- E. strive sincerely to build better relationships with one another and the Superintendent.
- F. set clear goals for the Superintendent.
- G. support the Superintendent and help him/her to be as effective as possible.
- H. prepare carefully before each meeting so that when each Board member has the floor, s/he can make comments that are concise, organized, and clear.
- I. vote his/her individual convictions based on the available facts and his/her independent judgment and refrain from surrendering his/her judgment to individuals or groups.
- J. devote sufficient time, thought, and study to proposed actions.
- K. become well versed in parliamentary procedure.
- L. listen carefully and with courtesy when other people have the floor and are speaking during Board meetings;
- M. refuse to become involved with micromanagement.
- N. emphasize planning, policymaking, and public relations rather than becoming involved in management of the schools.
- O. establish clear goals for the District and ensure that the community is aware of these goals.
- P. keep abreast of current educational issues within the District, throughout the State, and across the nation.
- Q. establish fair and equitable terms and conditions of employment and evaluation of all staff; and
- R. select sound instructional strategies and materials and submit them to regular and impartial evaluations.

## **Conflict of Interest**

### **141.2 - CONFLICT OF INTEREST**

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

In the event a Board member is employed by a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her 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 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 a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment might conflict and to avoid appearances of conflict of interest even though such conflict may not exist.

Among the conflicts which law specifically forbids:

- A. the prosecuting attorney or city attorney from serving on the Board of Education;
- B. a Board member from serving as the school dentist, physician, or nurse;
- C. a Board member from being employed for compensation by the Board;
- D. a Board member from having, directly or indirectly, any pecuniary interest in any contract with the Board;
- E. a Board member from accepting a reward, gift, or reduction in price for favoring, recommending, or advocating the introduction, adoption, or use in the school of a textbook, map, chart, or any other school supply;
- F. a Board member, for a period of one (1) year after leaving office, from accepting employment with the Board where such employment was authorized by the Board while s/he was a member thereof;
- G. a Board member from soliciting or using the authority or influence of his/her office to secure employment with the Board;
- H. a Board member from voting, deliberating, participating in discussions, or otherwise using the authority or influence of his/her office to create a position with the School District or to set the compensation for such position where s/he is considering, or is being considered for, employment in that position;
- I. a Board member from having an interest in a contract for the purchase of property, supplies, or fire insurance by any county, township, municipal corporation, board of education, or public institution anywhere in the State of Ohio, if such contract exceeds \$150 unless the contract is let by competitive bidding;
- J. a Board member from being involved in any aspect of the hiring process including, but not limited to, discussing, deliberating, interviewing, or voting on a contract with that person as a teacher or instructor if s/he is related to that person as spouse, father, mother, step-parent, brother, sister, minor child, step-child, grandparent, grandchild, or any other person related by

blood or marriage that resides in the same household as the Board member;

- K. a Board member from authorizing or using the authority or influence of office to secure authorization of a public contract in which the Board member, a member of his/her family, or any of his/her business associates has an interest;
- L. a Board member from authorizing or using the authority or influence of office to secure the investment of public funds in any share, bond, mortgage, or other security in which the Board member, any member of his/her family, or any of his/her business associates have an interest, or receives any brokerage, origination, or servicing fees, or is an underwriter;
- M. a Board member from having an interest in the profits or benefits of a public contract entered by the District with which s/he is connected;
- N. a Board member from using the authority or influence of office to secure anything of value or the promise of anything of value to the Board member, from soliciting or accepting anything of value that is of such a character as to manifest an improper and substantial influence upon the Board member with respect to his/her duties.

Board members shall not accept any form of compensation from a vendor or other improper source that is seeking to do business with the District, is doing business with the District, is regulated by, or interested in matters before the District. In addition, Board members shall not enter a contractual arrangement with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual Board member receives compensation in any form for services rendered. Such compensation or things of value are not limited to, cash, check, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member receives such compensation, the Board member shall immediately notify the Treasurer, in writing, that s/he received such compensation and shall thereafter promptly transmit such compensation to the Treasurer.

Nothing herein shall prevent a Board member who attends a conference held by an association of public officials and employees from accepting a meal, or attending a reception or open house, the cost of which is financed by a private party so long as the meal, reception, or open house is: 1) of an ordinary, routine character; 2) at an educational or informational event; and 3) open to all of the public officials and employees attending the event. A Board member is prohibited from improperly using his/her position to secure the donation of the cost of a meal, reception, or open house at a conference of an association of public officials and employees to which s/he or his/her Board belongs, while the Board member is simultaneously engaged in governmental business or regulatory activity directly affecting the related interests of the person solicited.

A Board member whose spouse is an employee in the District may not vote, authorize, or use the influence of his/her office to secure approval of an employment contract with his/her spouse. Neither may s/he vote, deliberate, discuss, or otherwise attempt to influence a collectively bargained, negotiated agreement affecting his/her spouse if the spouse is an officer, executive committee member, or member of the negotiating team or committee of the employee organization or if the agreement includes provisions for health insurance under which said Board member is covered as a benefit of the spouse's employment.

Board members are responsible for knowledge of the ethics law applicable to their public service as an elected official in the State of Ohio. Board members should seek guidance on the application of Ohio's ethics law prior to acting. This policy is an overview, not a complete statement of Ohio's ethics laws. © Neola 2018 Legal R.C. 102.03(D)(E)(F), 2921.42(A)(3), 2921.44(D-F), R.C. 2921.02, 3313.13, 3313.33, 3313.70, 3319.21 Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002).

### **Qualifications (By-Law 0142)**

Each member of the Board shall be an elector residing in this School District (R.C. 3313.01), not be employed as a prosecuting attorney, city solicitor, or other official acting in a similar capacity (R.C. 3313.13), and not have, directly or indirectly, any pecuniary interest in any contract of the Board or be employed in any manner for compensation by the Board, (R.C. 3313.33) and shall be at least eighteen (18) years of age.

Legal (R.C. 3313.33) R.C. 3313.01, 3313.13

### **Oath By-Law 0142.1)**

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

Legal  
R.C.3313.10

### **Orientation**

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and learn Board procedures. Accordingly, each new Board member, no later than his/her first regular meeting as a Board member, shall receive for use during his/her term on the Board:

- A. a copy of the Ohio Ethics Law as required by R.C. 102.09 (E); [Link](#)
- B. a copy of the Board policy manual; [Link](#)
- C. a copy of each current negotiated agreement; (One Drive)
- D. the current budget statement, audit report, and related fiscal materials; (One Drive)
- E. weekly Board packets less any confidential materials.

Each new Board member shall be invited to meet or discuss with the Board President, the Superintendent, and the Treasurer to discuss Board functions, policies, and procedures.

The Board shall encourage the attendance of each new Board member at orientation and training meetings. (R.C. 3315.15)

Legal R.C. 102.09 (E (R.C. 3315.15)

## **Term**

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

Legal R.C. 3313.09

## **Officers**

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

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

The Board shall then proceed to the election of a President who may then take the chair and a Vice President who may then take the chair.

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

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

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

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

© Neola 2017 Legal R.C. 3313.10 R.C. 3313.14

## Meetings

### Regular Meetings

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

- A. It shall be the responsibility of the Superintendent to prepare an agenda of the items of business to come before the Board at each regular meeting. The proposed agenda shall be presented to the Board President for his/her review, at such place as the President may direct, no later than on Wednesday one (1) week prior to the regular meeting. The President shall make any changes to the agenda s/he deems necessary and shall so advise the Superintendent of such changes no later than the morning of the Wednesday preceding the board meeting. The final agenda shall be in such form and contain such items as the Board President shall direct. As between the Superintendent and Board President, the Board President's decision as to the form and content of the agenda shall be final subject only to such adjustments as the Board may make.
- B. Each agenda shall contain the following statement:

"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda items."
- C. The agenda for each regular meeting shall be emailed, placed in "one-drive", mailed, or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be sent no later than four (4) days prior to the meeting or delivered so as to provide time for the study of the agenda by the member. The agenda for a special meeting shall be delivered at least twenty-four (24) hours before the meeting, consistent with provisions calling for special meetings.
- D. The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered, and items added at any regular meeting by a majority vote of the members present.
  1. Call to Order
  2. Pledge of Allegiance
  3. Roll Call
  4. Recognitions
  5. Reports
  6. Superintendent/Treasurer
  7. Board/Staff Reports

8. Work Session
9. Hearing of the Public
10. Agenda Adjustments
11. Old Business
12. New Business
13. Adjournment

E. Consent Agenda

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

The following routine business items may be included in a single resolution for consideration by the Board.

1. minutes of prior meetings
2. bills for payment
3. hiring of personnel
4. resolutions that require annual adoption, such as bank signatories, association membership(s), etc.
5. resignations and leaves

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

F. Rescheduled Regular Meeting

The agenda for a rescheduled regular meeting shall be the agenda that had been established for that regular meeting and the agenda may be modified pursuant to "regular meeting" procedures detailed in Bylaw 0165.1 - Regular Meetings. © Neola 2018

**Special Meetings**

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

- A. Special meetings which include emergency meetings shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time and place of such meeting upon each Board member at least two (2) days in advance of the meeting. The notice shall be signed by the official or members calling the meeting. R.C. 3313.16
- B. The agenda for a special meeting is limited to the purpose(s) set forth in the public notice that is provided at least twenty-four (24) hours in advance of the meeting. At the special meeting, the

Board may only discuss those issues set forth on the agenda, whether in open session or executive session. © Neola 2018

### **Notice of Meetings**

- A. A schedule of the time and place of all regular meeting(s) shall be posted annually on the District website, published in the official newspaper(s), and posted at the District office and each school.

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

- B. Notice of the time, place, and purpose of each special meeting shall be given to the news media twenty-four (24) hours in advance of the meeting, except that when an emergency requires the immediate official action of the Board, the member(s) calling the meeting shall immediately notify the media requesting such notice of the time, place, and purpose of the meeting and shall post the notice on the District's website.
- C. Notice of meetings at which any specific type of public business is to be discussed shall be sent to all persons requesting such notice.
- D. The Treasurer shall notify all Board members of each Board meeting in writing no later than two (2) days in advance of the meeting. Such notice shall include the time, place, and purpose of the meeting.
- E. Posting such meeting material to the District's website shall establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings.

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### **Notification of Board Meetings**

- A. Any news media organization or other person that desires to be given advance notification of regular or special meetings of the Board of Education shall file with the Treasurer of the Board a written request, therefore.
- B. Request for advance notification of regular and special meetings shall specify the name and address of the news media or person to whom the written notification may be mailed.
- C. Requests for notification by the news media and other persons shall be valid for the remainder of the calendar year in which requests are made.
- D. Except in the event of an emergency requiring immediate official action, notice of a special meeting will be given at least twenty-four (24) hours in advance of the time, place, and purpose of such special meeting.
- E. Public notice of special meetings shall be given as quickly as possible. In the event of an emergency special meeting, twenty-four (24) hours advance notice need not be given as long as

every effort is made and documented to give oral or written notification to the news media that have requested such advance notification of the time, place, and purpose of each special meeting

- F. The Treasurer of the Board shall post on the bulletin board in the Board office the yearly schedule of all regular and special meetings. In the event meetings are added or changed, the Treasurer shall post such notice at least twenty-four (24) hours before the meeting unless an emergency special meeting is called.

Revised 6/8/98 © Neola 2016

### **Executive Session (By-Law 0166)**

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

- A. consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee, or official
- B. investigation of charges or complaints against a public employee, official, licensee, or student unless such employee, official, licensee or student requests a public meeting; except that consideration of the discipline of a Board member for conduct related to the performance of his/her duties or his/her removal from office shall not be held in executive session
- C. consideration of the purchase of property for public purposes, or sale or other disposition of unneeded, obsolete, unfit-for-use property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest
- D. discussion with the Board's legal counsel, of disputes involving the Board that are the subject of pending or imminent court action
- E. preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of employment
- F. matters required to be confidential by Federal law or regulations or State statutes
- G. specialized details of security arrangements and emergency response protocols where disclosure might reveal information that could jeopardize the District's security
- H. 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 to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:
  - 1. the information is directly related to a request for economic development assistance that is to be provided or administered under one (1) of the statutes referenced in R.C.

121.22(G)(8)(1), or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project, and

2. an unanimous quorum of the Board or its subcommittee determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project

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

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

Audit conferences conducted by the Auditor of State or independent certified public accountants with District officials concerning the District's audit are exempt from R.C. 121.22.

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

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

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

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## **Board Officers (By-Law 0173)**

A.

The President of the Board of Education:

1. shall preside at all public meetings of the Board.
  2. may call special meetings of the Board; (R.C. 3313.16)
  3. may create and appoint members to committees.
  4. shall sign checks, notes, conveyances, contracts, minutes, and other legal instruments for which the signature of the President is called; (R.C. 3313.51, 3315.08)
  5. shall assist in the preparation of the Board agenda.
  6. shall be the exclusive agent of the Board for purposes of handling all contacts with the print and broadcast media. The Board President shall be the Board's sole spokesman and shall notify all media accordingly. The Superintendent, administration, and staff are directed to perform such duties as the Board President may from time to time direct to assist him/her in performing his/her duties under this paragraph. In the event the Board President is unavailable, then the Board Vice President shall serve as such spokesman, with all of the powers and authority of the Board President.
- B. The Vice President shall assume and discharge the duties of the President in his/her absence, disability, or disqualification.
- C. A committee chairperson shall call meetings of the committee, keep informed of developments in activities under the committee's jurisdiction, and report to the Board for the committee.

Legal (R.C. 3313.16) (R.C. 3313.51, 3315.08) A.C. 117-2-21

## **Compensation**

Effective January 1, 1987, the compensation rate for Board members shall be in accordance with R.C. 3313.12 per meeting (maximum fifteen (15) meetings) per year.

Old Board members are not entitled to the new compensation.

Expenses of a Board member incurred in the performance of his/her duties and expenses of a member-elect in training and orientation will be paid from the Board service fund, provided that each such member or member-elect submits a written statement of his/her expenses for approval by the Board at its next regular meeting.

A Board member may request coverage for themselves and/or families in the School District's group health care plan. The Board member must pay all premiums for the coverage and must exercise this option in writing, announced at a regular meeting and recorded in the minutes. This does not constitute "pecuniary interest" in any contract.

Within thirty (30) days after a Board member initially takes office, s/he must elect whether to become a member of the School Employees Retirement System ("SERS") in accordance with R.C. 3309.012 and A.C. 3309-1. The election shall be irrevocable while the Board member continuously holds office. If the Board member does not elect membership in the SERS, s/he shall forever be barred from claiming or purchasing membership rights or credit for the particular period of holding office for which the election and notice was required.

The Board member shall notify the Treasurer whether or not s/he wishes to participate. If the Board member elects membership in the SERS, the Treasurer shall file proper notice of the person's election with the SERS Board. Any Board member failing to make a selection shall be considered to have elected not to become a member of the SERS for the particular period for which election was required.

The Board shall establish a Board Service Fund which shall not exceed the greater of two dollars (\$2.00) per enrolled student or \$20,000. The Board Service Fund shall be set aside from the General Fund on an annual basis by resolution of the Board and shall be used to pay expenses actually incurred by Board members in the performance of their official duties. Such Fund may also be used to pay for the expenses actually incurred by newly elected Board members relative to training and orientation to the performance of their duties prior to taking office. The following guidelines shall govern the reimbursement of expenses for Board members. However, under no circumstances will Board members be reimbursed for the purchase of alcoholic beverages.

- A. Expenses will be reimbursed only for activities authorized by the Board.
- B. Reimbursement for mileage, only to attend conferences, will not exceed the current rate permitted by law.
- C. When attending a Board-approved conference, all fees, parking, mileage, meals, and housing can be submitted for approval.
- D. No entertainment expenses or purchases of alcoholic beverages are reimbursable.
- E. A voucher detailing the amount and nature of each expense must be submitted to the Treasurer for approval within thirty (30) days after the expenses have been incurred.

Legal R.C. 3313.12, 3313.86, 3313.202(D) R.C. 3315.15 R.C. 3315.12, 3313.202 R.C. 3309.012

## **Resignation or Removal (By-Law 0146)**

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

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

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

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

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

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

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

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

- A. until completion of the unexpired term, or
- B. until the first day of January immediately following the next regular Board of Education election taking place more than ninety (90) days after a person is selected to fill the vacancy. At that election, a special election to fill the vacancy will be held. However, no such special election shall

be held if the unexpired term ends on or before the first day of January immediately following that regular Board election.

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

Legal R.C. 3.07, 3313.11, 3313.85

### **Public Expression of Members (By-Law 0148)**

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

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

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

- A. This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:
  1. Correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter.
  2. Routine, not for publication, correspondence of the Superintendent and other Board employees.
  3. "Campaign articles" or "position papers" of candidates for elections to the Board.
  4. Routine "thank you" letters of the President of the Board.
  5. Statements by Board members on non-school matters (providing the statements do not identify the author as a member of the Board).
  6. Personal statements not intended for publication.
  7. Postelection statements by Board members thanking citizens for voting for them.

### **Board-Staff Communication (By-Law 0148.1)**

The Board of Education desires to maintain open channels of communication between itself and the staff. The basic line of communication, will, however, be through the Superintendent.

#### **A. Staff Communications to the Board**

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

#### **B. Board Communications to Staff**

All official communications, policies, and directives of the Board, of staff interest and concern to the staff will generally be communicated through the Superintendent, who shall also keep staff members informed of the Board's concerns and actions.

#### **C. Social Interaction**

Both staff and Board members share an interest in the schools and in education generally, and it is to be expected that when they interact at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the District. However, since individual Board members are not authorized to act on behalf of the Board unless in open public session or when specifically vested with such authority, it will be considered to be unacceptable conduct for Board members to discuss individual personalities, personnel grievances, or other complaints with members of the staff. Instead, staff members should be encouraged to utilize the procedures, established in Board Policy or the collective bargaining agreement to have their concerns, complaints, or grievances addressed.

### **Use of Electronic Mail/Text Messages (By-Law 0167.1)**

Since E-mail and Text Messages are forms of communication that could conflict with the Sunshine Law, they will be used only for the purposes of communicating:

- A. messages between Board members or between a Board member and employee(s) which do not involve deliberating or rendering a decision on matters pending before the Board.
- B. possible agenda items between the Superintendent and the Board President.
- C. times, dates, and places of regular or special Board meetings.
- D. a Board meeting agenda or public record information concerning items on the agenda.
- E. requests for public record information from a member of the administration, school staff, or community pertaining to District operations.
- F. responses to questions posed by members of the public, administrators, or school staff.

Under no circumstances shall Board members use E-mail or Text Messages to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

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

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

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

A "meeting" to which the Sunshine Law applies is any prearranged discussion of the public business of the Board, committee, or subcommittee by a majority of its members, including, but not limited to, regular and special meetings, work sessions, retreats, planning meetings, and study groups. A series of prearranged meetings attended by a minority of the Board to discuss the public business, without giving proper notice, is a violation of the Sunshine Law. A majority of members may gather at social or other events but may not discuss public business. The Sunshine Law prohibits any private prearranged discussion of public business by a majority of Board members regardless of whether the discussion occurs face to face, telephonically, by video conference, or electronically by e-mail, text messages, tweet, or other forms of communication.

# Superintendent and Treasurer

## Responsibilities of the Superintendent (Policy 1230)

The Superintendent shall strive to achieve District goals for students by providing educational direction and supervision to the professional staff and classified staff and by acting as a proper role model for staff and students both in the school and outside the District.

The Superintendent is directly responsible to the Board of Education for the performance of the following duties and responsibilities:

- A. keep the Board informed with respect to matters affecting school operations and provide the Board with information, guidance, and support necessary to formulate policy
- B. provide that all aspects of District operations comply with State and Federal laws and regulations as well as Board contracts and policies
- C. provide leadership for the development, implementation, and assessment of the continuous improvement or Strategic Plan's vision, mission, and initiatives
- D. establish and implement a written educational plan for the schools of the District consistent with the educational goals adopted by the Board
- E. provide for the recruitment, selection, and development of District staff in the attainment of the District's goals
- F. recommend changes in staffing and instructional program based on analysis of staff and student performance assessment data.
- G. Superintendent will attend Board of Education meetings as their Chief Executive Officer and Advisor.
- H. recommend innovations and strategies to continually improve the educational and operational practices of the District
- I. promote the efficient and effective use of District resources in the daily operations of the schools
- J. work constructively with the Board, administrative leadership team, and District staff in pursuit of established educational and operational goals and objectives
- K. communicate effectively with parents, citizens, and community groups; secure their input, involvement, and support for school programs and initiatives
- L. maintain the highest standards of personal conduct, professional practice, administrative effectiveness, and financial responsibility of the District
- M. perform such other duties as the Board may direct or assign

## **Responsibilities of the Treasurer**

The District's Treasurer, in addition to the responsibilities required by law, is responsible for helping the District achieve its goals by providing leadership and supervision in the program of fiscal management.

The Treasurer shall meet the qualifications specified for the position (A.C. 3301-5-01) and shall be directly responsible to the Board for the performance of the following assigned duties and responsibilities:

- A. serve as the Chief Financial Officer of the District.
- B. receive, deposit, manage, disburse, and account for all Federal, State, and local funds of the District in accordance with the Board's policies, administrative guidelines, and Ohio law.
- C. be responsible for the financial affairs of the District in accordance with the provisions of State law.
- D. establish and maintain long-range fiscal plans and prepare the annual budget based on District resources and needs.
- E. direct and assign employees who are directly engaged in the day-to-day fiscal operations of the District, as designated by the Board.
- F. provide that all District fiscal activities comply with the laws and regulations of the State, the negotiated agreements, policies of the Board, and the District's administrative guidelines.
- G. analyze the effectiveness of District business and financial functions and recommend appropriate changes in program, staffing, and/or management strategies to meet established District goals.
- H. work constructively with the Superintendent and District staff toward the achievement of District goals.
- I. promote the efficient and effective use of District resources in the daily operations of the schools.
- J. interpret the budget and the District's fiscal affairs to District staff and to interested members of the community to secure their input, involvement, and support for school programs and initiatives.
- K. maintain the highest standards of personal conduct, professional practice, administrative effectiveness, and financial responsibility of the District;
- L. perform such other duties as the Board may direct or assign.

Observation of the Treasurer's performance and preparation of performance reports shall be the responsibility of the Board.

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Legal R.C. 3301.074, 3313.16, 3313.26, 3313.261, 3313.262, 3313.27, 3313.28 R.C. 3313.29, 3313.33, 3313.51 A.C. 3301-5-01

## **Evaluation of the Superintendent (Policy 1240)**

The Board of Education believes it is essential that it evaluate the Superintendent's performance periodically in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership.

The Board shall annually, no later than January 1, evaluate the performance of the Superintendent. Such evaluation shall include an assessment of:

- A. the progress toward the educational goals of the District.
- B. performance based on expectations prescribed in the job description.
- C. the working relationship between the Board and the Superintendent.
- D. the Board's own effectiveness in providing direction to the Superintendent.

Such assessments will be based on defined quality expectations developed by the Board for each criterion being assessed.

The Board and the Superintendent, jointly, shall, at the outset of each evaluation, determine the method by which the evaluation shall be conducted and the evaluation model to be used.

Such method may include:

- A. the Superintendent's own self-analysis of the current status of the District.
- B. the Superintendent's self-assessment of his/her performance.
- C. the active participation of each Board member.
- D. evaluation interviews between the Board and Superintendent.
- E. recommendations/commendations regarding the Superintendent's job performance.
- F. the Superintendent's assessment of Board efficiency and effectiveness.

As an outcome of the evaluation of the Superintendent's performance, the Board should be prepared to judge the advisability of retention of the Superintendent and be prepared to:

- A. determine the Superintendent's salary.
- B. identify strengths and weaknesses in the operation of the District and determine means by which weaknesses can be reduced and strengths are maintained.
- C. establish specific objectives, the achievement of which will advance the District toward its goals.
- D. improve its own performance as the public body ultimately charged with the educational responsibility of this District. © Neola 2012 Legal R.C. 3319.01

### **Evaluation of the Treasurer (Policy 1330)**

The Board of Education requires evaluation of the performance of the Treasurer in order to assist both the Board and the Treasurer in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership. The Board, in establishing procedures for a formal performance evaluation of the Treasurer and conducting the evaluation in accordance with those procedures, shall consider the evaluation(s) in deciding whether to renew the Treasurer's employment contract. However, the establishment of the evaluation procedure does not create an expectation of continued employment. The Board is responsible for the final determination regarding the Treasurer's employment contract.

The objectives of the Board's evaluation shall be to:

- A. promote professional excellence and improve the skills of the Treasurer.
- B. improve the quality of District educational services and fiscal operations.
- C. provide a basis for the review of the Treasurer's performance.

Criteria for the evaluation of the Treasurer shall be based upon the job description and shall relate directly to each of the tasks described therein. Each criterion shall be brief and shall focus on a major function of the position, be based on observable information rather than on factors requiring subjective judgment and be written in the same format.

Data for the evaluation of the Treasurer will be gathered by anyone (1) or more of the following methods:

- A. direct observation
- B. review of a document(s) produced in the performance of assigned duties
- C. interviews with the Treasurer regarding his/her knowledge of assigned duties
- D. reference to previous performance reports

The Board shall, annually, no later than January 1, evaluate the performance of the Treasurer. Such evaluation shall include an assessment of the:

- A. progress toward the established goals of the District.
- B. performance based on expectations prescribed in the job description.
- C. working relationship between the Board and the Treasurer.
- D. Board's own effectiveness in providing direction to the Treasurer.

Such assessments will be based on defined quality expectations developed by the Board for each criteria being assessed.

The Board and the Treasurer, jointly, shall, at the outset of each evaluation, determine the method by which the evaluation shall be conducted and the evaluation model to be used.

Such method may include:

- A. the Treasurer's own self-analysis of the current status of the District.
- B. the Treasurer's self-assessment of his/her performance.
- C. the active participation of each Board member.
- D. evaluation interviews between the Board and Treasurer.
- E. recommendations/commendations made regarding the Treasurer's job performance.
- F. the Treasurer's assessment of Board efficiency and effectiveness.

As an outcome of the evaluation of the Treasurer's performance, the Board should be prepared to judge the advisability of retention of the Treasurer and be prepared to:

- A. determine the Treasurer's salary.
- B. identify strengths and weaknesses in his/her operation and determine means by which weaknesses can be reduced and strengths are maintained. © Neola 2012 Legal R.C. 3313.2

**Map of the District**

