

# GOVERNING BOARD

## LICKING COUNTY EDUCATIONAL SERVICE CENTER

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## **DEFINITIONS**

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

### **Administrative Guideline**

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

### **Agreement**

A collectively negotiated contract with a recognized bargaining unit.

### **Apps and Web Services**

Apps/web services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100, above) over a network, or client-server applications in which the user interface runs in a web browser. Apps/web services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps/web services also are used to facilitate communication to, from and among and between, staff, students, and parents.

### **Board**

The **Governing Board** of Education.

### **Bylaw**

Rule of the Board for its own governance.

### **Classified Employee**

An employee who provides support to the Educational Service Center program and whose position does not necessarily require a professional certificate.

### **County Superintendent**

The County Superintendent of Schools is the chief executive officer for the Licking County Educational Service Center. In policy this implies delegation of responsibilities to appropriate staff members.

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### **District**

The Local School Districts that comprise the Licking County Educational Service Center's County District.

### **Due Process**

Procedural due process requires prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond.

Procedural due process may require right to counsel and/or confrontation or cross examination of witnesses, depending upon the situation.

### **Full Board**

Authorized number of voting members entitled to govern the District.

### **Information Resources**

The Board defines Information Resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible storage and use of data / information. The definition includes but is not limited to electronic mail, voicemail, social media, text messages, database, CD ROMs /DVDs, websites, motion pictures film, recorded magnetic media, photographs, digitized information or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

### **May**

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

### **Meeting**

Any prearranged discussion of the Board's public business by a majority of Board members.

### **Parent**

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise. The grandparent acts as the parent when a student is the subject of a power of attorney or caretaker authorization affidavit executed by the student's grandparent(s) designated as the attorney-in-fact under the power of attorney or the grandparent who executed the affidavit.

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Although the grandparent shall have the rights and responsibilities with regard to the care, physical custody, and control of the student, including the ability to enroll the student in school, to obtain from the District educational or behavioral information about the student, consent to all school related matters, and consent to medical, psychological, or dental treatment for the student, the power of attorney does not convey legal custody of the grandchild to the grandparent and does not affect the rights of the parent, guardian, or custodian of the student in any future proceeding concerning the custody of the student or allocation of parental rights and responsibilities for the care of the student.

Likewise, although the grandparent shall have rights and responsibilities with regard to the care, physical custody, and control of the student, including the ability to enroll the student in school, to discuss with the District the student's educational progress, consent to all school related matters and consent to medical, psychological, or dental treatment for the student, the caretaker authorization affidavit does not convey legal custody of the grandchild to the grandparent and does not affect the rights of the student's parents, guardian, or custodian regarding the care, physical custody, and control of the child.

### **Personal Communication Devices**

Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular/mobile phones, smartphones, and/ or other web-enabled devices of any type.

R.C. 3313.64, 3109.52, 3109.65

Revised: 11-9-04

Revised: 12-13-16

### **Policy**

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

### **President**

The presiding officer of the Board.

### **Principal**

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

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### **Professional Staff Member**

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

### **Shall**

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

### **Student**

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

### **Local Superintendent**

The chief executive officer (or CEO) of the Local School District is the Local Superintendent. In policy, implies delegation of responsibilities to appropriate staff members.

### **Treasurer**

The chief financial officer (or CFO) of the District or ESC.

### **Vice-President**

The Vice-President of the Governing Board.

### **Voting**

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

### **Technology Resources**

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices, (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

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## **Textbook**

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

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

Many of the defined terms will appear in capital letters in By-Laws and Policy to indicate continued importance, i.e. Superintendent, District, Board, President, etc.

Adopted: February 10, 1999

Revised: December 13, 2016

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## IDENTIFICATION

0111            **Name**

The Board of Education of this County System shall be known officially as the Licking County Educational Service Center (LCESC) **Governing Board** A.C. 9.02, 9.03, 9.04, RC 3311.01

0112            **Boundaries**

The Licking County Educational Service Center is comprised of all the area in the description filed in the Board office. R.C. 3311.02, 3311.04, 3311.06, 3311.29

0113            **Address**

The official address of the LCESC **Governing Board** shall be 145 North Quentin Road, Newark, Ohio 43055.

0116            **Affiliation**

The LCESC **Governing Board** shall be a participating member of the Licking County Joint Vocational School District.

0118            **Philosophy of the Board**

The **LCESC Governing Board** believes in the importance and worthiness of education in a democratic society. The Board of Education further believes in the established practice of providing equal educational opportunities for all youth without prejudice of race, gender, disability, color, religion or political belief.

The **LCESC Governing Board** accepts the responsibility placed on us by the electorate to provide the best educational support system possible within the limits of the finances available for that purpose. The Governing Board recognizes the necessity and desirability of providing educational opportunities in accordance with the standards established by the State Department of Education, and in all cases will attempt to reflect the evidence of the latest research in the educational program.

Open lines of communication between schools and communities are encouraged. Citizens can develop a greater interest in their schools through participation and sharing ideas and concerns. As this involvement occurs, individuals will more readily accept their responsibility for the moral and financial support of schools. Of equal importance is the Board's responsibility for hiring a qualified staff, capable of anticipating and meeting the ever-changing needs of a modern society.

Revised: November 12, 2013



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### *(Philosophy – continued)*

In conclusion, we believe education to be the cornerstone of Democracy, and the strength of our country is dependent on the product of our schools. We also recognize that family and community contribute to the attitudes and values developed by our youth. It is, therefore, essential that family, school, and community maintain high values and positive attitudes while joining together to provide our students the opportunity for developing to their maximum potential.

The Board declares and, thereby, reaffirms its intent to:

- A. maintain two-way communications with citizens of Licking County. The Board shall keep them informed of the progress and problems of the School Districts;
- B. establish policies and make decisions on the basis of declared educational philosophy and goals;
- C. act as a truly representative body for citizens in all matters related to programs and operations. The Governing Board recognizes that ultimate responsibility for public education rests with the State, but the Board of Education has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority.

### **119.01 Our Vision:**

The LCESC is a vital link for educational services making a difference together for all schools in Licking County.

### **119.02 Our Mission:**

To provide leadership and service to meet the individual and collective needs of Licking County schools so that the quality of educational experiences for children is enhanced and improved.

### **119.03 Our Beliefs:**

#### **We believe that**

- We act as role models and leaders for educational excellence by being well informed, highly skilled, experienced, thoughtful, and sensitive to human relations.
- We promote communication, encouragement, synergy, and cost effectiveness through cooperative and collaborative experiences.
- We foster the strengths of cooperative efforts in the county through cooperative and contracted programs.
- We encourage educational networking to link Licking County schools with the Ohio Department of Education by facilitating information dissemination, monitoring minimum standards, and implementing services required by the Ohio Revised Code.

Adopted: May 12, 1981

Revised: November 9, 2004

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### POWERS AND ETHICS

0121            **Authority**  
The supervision of the public schools is governed by Code Title 33 of the Revised Code of the State of Ohio.

0122            **Board Powers**  
The Governing Board of Education shall be a body politic and corporate, and, as such, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing, and disposing of real and personal property; taking and holding in trust for the use and benefit of the Districts, any grant or devise of land and any donation or bequest of money or other personal property. R.C. 3313.17

0122.1        **Member Powers**  
Board members as individuals do not separately possess the powers that reside in the Board of Education, except when and as expressly authorized by law or this Board, but no Board member shall be denied facts or materials required for the proper performance of his/her duties to which s/he is legally entitled.

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.

0123            **Code of Ethics**  
It is the intent of this Board of Education to abide by the Code of Ethics of the Ohio School Boards Association.

A.            **Preamble and Purpose**

WHEREAS, The welfare of our community, state, and nation is directly affected by the quality of public education focused to the greatest possible degree on individual abilities and potentialities; and

WHEREAS, The ideals, attitudes, and motives of school board members substantially influence their decisions concerning the quality of education in the schools; therefore be it

RESOLVED, In order to encourage all boards of education in Ohio to act in accordance with high professional and moral standards, the Ohio School Boards Association does hereby establish a code of basic principles and ethical standards for school board members acting individually and collectively as boards of education in the management of the public schools in Ohio.

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### B. Basic Principles and Procedures

Boards of education in Ohio accept the obligation to operate the public schools in accordance with the fundamental principles and standards of school management, which principles include but are not limited to the following:

1. Boards of education formulate written policy for the administration of schools, to be reviewed regularly and revised as necessary.
2. Boards of education exercise legislative, policy making, planning and appraising functions, and delegate administrative functions in the operation of schools.
3. Boards of education recognize their especially critical responsibility for selecting the Superintendent, defining the responsibilities, helping formulate goals and evaluating the performance regularly, without directly engaging in administrative processes.
4. Boards of education accept and encourage a variety of opinions from and communication with all parts of the community.
5. Boards of education make public relevant institutional information in order to promote communication and understanding between the school system and the community.
6. Boards of education act on legislative and policy making matters only after examining all pertinent facts and considering the Superintendent's recommendations.
7. Boards of education conduct their meetings with planned and published agendas.
8. Boards of education encourage and promote professional growth of school staff so that quality of instruction and support services may continually be improved.
9. Boards of education establish and maintain procedural steps for resolving complaints and criticism of school affairs.
10. Boards of education act only through public meetings and individual board members have no authority to bind the board.

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### C. **Ethical Standards**

Maximum results as members of boards of education will be achieved only if high ethical standards of conduct are maintained in all personal, business, and public activities. Beginning with the universally accepted precept of treating others, individually or in groups, as everyone would like to be treated, more specific ethical standards include but are not limited to the following:

1. Ethical standards for all individual members of boards of education
  - a. accept responsibility for leadership by encouraging community and staff to improve the public school system in all appropriate ways, including the greatest efficiency in the use of money, promoting increases in funding as needed, and improvement in training and performance of staff, administrators, and board
  - b. make sincere efforts to respect divergent points of view by seeking to understand those who advance such diverse opinions
  - c. recognize the principle of compromise as an acceptable solution to diversity and cooperation as productive to the common good
  - d. recognize both the positive and negative aspects of dissent and, upon arriving at a decision, that board members have an obligation to abide by the decision while retaining the right to attempt to alter the decision ethically
  - e. avoid conflicts of interest and the use of board membership for personal gain or even the appearance of impropriety which can result from that position
  - f. accept primary objective of maintaining and improving public schools, not personal advancement or prestige
  - g. devote time, thought, and study to the duties and responsibilities of school board membership
  - h. attempt to interpret the needs and attitudes of all parts of the school district and endeavor to translate them into the improvement of the school program
  - i. respect the limited intent and scope of executive sessions and respect privileged communications from executive sessions and other administrative sources

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2. Group ethics for boards of education and other organizations
  - a. seek assurances of the availability of administrative and teaching personnel prior to offering them contracts
  - b. initiate inquiries for prospective, specific certified and classified employees through channels that are available to everyone qualified
  - c. evaluate personnel through administrative avenues objectively for own purposes and for other school districts when requested
  - d. encourage meetings and association with other school boards nearby, regionally, state, and nationally to discuss and advance the cause of maintaining and improving public education
  - e. recognize that, although the primary obligation is to maintain and improve the quality of education in the district, a substantial duty in a broad sense exists to be concerned for the improvement of the quality of education at all levels of society and refrain from actions locally that would substantially interfere or injure the program of education elsewhere

Adopted: February 10, 1998

**FUNCTIONS**

**0131 Legislative**

The Governing Board shall make such rules and regulations as are necessary for its governance and the governance of its employees and students of its grounds or premises by adopting bylaws and policies for the organization and operation of this Board and this Educational Service Center and shall be bound to follow such bylaws and policies. R.C. 3313.20

Those bylaws and policies which are not dictated by the statutes or rules of the State Board of Education or ordered by the Superintendent of Public Instruction, or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected; except that the Board may, upon a vote, equivalent to that for adoption, amendment, or repeal and where compelling reasons exist, cause to suspend at any time the operation of a bylaw or policy herein contained, provided the suspension does not conflict with law, and such suspension shall terminate at the next meeting of the Board or at such earlier time as is specified in the motion to suspend.

These bylaws and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the Center.

Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution in final form.

Bylaws shall be adopted, amended, repealed, or suspended by an affirmative vote of four members (a 4/5's vote of the full Board). Policies shall be adopted, amended, or repealed by an affirmative vote of three members, (a majority vote of the full Board).

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

The Board may adopt, amend, or repeal rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting.

0131.1      **Technical Corrections**

Periodically it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include consolidation of sections, transfer of sections, renumbering, corrections or additions for grammatical or typographical errors, alterations or omissions not affecting the constructions or meaning of those sections. Should the Board choose to make such technical corrections, it may be accomplished by resolution as part of the consent agenda without going through the normal policy adoption procedure.  
*June 10, 2014*

0132      **Executive**

The Board shall exercise its executive power by the appointment of a Superintendent of Schools, hereinafter referred to as "Superintendent", as chief school administrator of the Licking County Educational Service Center for a term not longer than five (5) years.

The Superintendent shall enforce the statutes of Ohio, rules of the State Board, and the policies of the Licking County Educational Service Center Governing Board.

The Superintendent shall prepare guidelines for the administration of the District which are not inconsistent with statutes, regulations of the State Board, or the policies of this Governing Board. Such administrative guidelines shall be binding on the employees and the students of E.S.C. programs when issued.

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action. R.C. 3313.15

0133      **Judicial**

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

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

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Adopted:      May 12, 1981  
Revised:      February 10, 1998  
                    January 10, 2019

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**MEMBERSHIP**

0141 **Number**

The Governing Board of Education shall consist of five (5) members elected at large.

0141.2 **Conflict of Interest**

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

The law specifically forbids:

- A. the prosecuting attorney or city attorney from serving on the Governing Board;
- 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,
- 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 Educational Service Center 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, governing board, 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, step-parent, father, mother, brother, ~~or~~ 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 into by the Center 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 Center, is doing business with the Center, is regulated by or interested in matters before the Center. In addition, Board members shall not enter into a contractual arrangement with a vendor seeking to do business with the Educational Service Center, or a vendor

with whom the Center 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 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 government business or regulatory activity directly affecting the related interests of the person solicited.

A Board member whose spouse is an employee in the Center 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.

R.C. 102.03(D)(E)(F), 2919.42(A)(3), 2919.44(D)(E)(F)  
R.C. 2921.02, 3313.13, 3313.33, 3313.70, 3319.21, OEC 87-008  
Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002)

0142

#### Qualifications

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

0142.1 Oath

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

0143 **Election**

Members of the Board shall be elected at large in accordance with R.C. 3311.053 or R.C. 3311.054.

0144 **Term**

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

0145 **Vacancies**

Vacancies on the Board shall be filled at a regular or special meeting, not earlier than ten (10) days following the occurrence of such vacancy, by election of a member to fill the said vacancy by a majority vote of the remaining members of the Board. Immediately after such vote, the Treasurer shall give written notice to the Board of Elections that a vacancy has been filled and the name of the person appointed to fill the vacancy. Should the Board fail to fill a vacancy within thirty (30) days of its occurrence, the County Probate Court shall act in its stead. R.C. 3.07, 3313.11, 3313.85

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

0146            **Resignation or Removal**

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

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

Any member who fails to attend meetings of the Board for a period of ninety (90) days for reasons determined to be insufficient, on the affirmative vote of two-thirds (2/3's) of the remaining members of the Board, and this vote is taken and entered into the record of the Board no less than thirty (30) days of the said period of absence, shall no longer be a member and his/her office shall be vacant. R.C. 3313.11. A member may be removed for misconduct in office in accordance with law. R.C. 3.07 et seq.

0147            **Compensation**

Members of the Governing Board, upon initiation of a new term of office, shall be compensated at the highest level authorized by the Ohio Constitution and State statutes. The number of maximum regular meetings that the Board members will be compensated for will be set annually. (R.C. 3313.12, 3313.86)

Expenses of a Governing Board member incurred in the performance of his/her duties will be paid from the Board service fund, provided that each such member or member-elect submit a written statement of his/her expenses for approval by the Board at its next regular meeting. (R.C. 3315.15) Such expenses will be paid from the Board Service Fund. However, under no circumstance will Board members be reimbursed for the purchase of alcoholic beverages.

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

- A. Expenses will be reimbursed only for activities authorized by the Board;
- B. Reimbursement for mileage, only to attend conferences, will not exceed the current rate established for Center employees;
- C. Attendance at Board-approved conferences should be at the location closest to the Center;
- D. When attending a Board-approved conference, all fees, parking, mileage, meals, and housing can be submitted for approval;

- E. A voucher detailing the amount and nature of each expense must be submitted to the Board for approval within thirty (30) working days after the expenses have been incurred.

Board members may request coverage for themselves and/or families in the Center's group health care and life insurance plans. The Board member must pay all premiums for the coverage and must exercise this option in writing, to be announced at a regular meeting and recorded in the minutes. This does not constitute "pecuniary interest" in any contract. R.C. 3313.12 & R.C. 3313.202

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 SERS, the Treasurer shall file proper notice of the person's election with the SERS Board. Any Board member failing to make an election shall be considered to have elected not to become a member of SERS for the particular period for which the election was required.

0149 **Access to Records**

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

0149.1 **Public Expressions of Members**

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

Sometimes the letters imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the member and the Board. Therefore, 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; and
  7. Post election statements by Board members thanking citizens for voting for them.

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Adopted: February 10, 1998  
Revised: July 8, 2008  
December 9, 2009  
January 10, 2019

# GOVERNING BOARD

BYLAWS

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### ORGANIZATION

#### 0151 **Organizational Meeting**

The Governing Board of Education shall organize annually at a meeting held during the month of January on a date fixed by the members. (R.C. 3313.14)

#### 0152 **Officers**

The organizational meeting shall be called to order by the immediate past President or, in his/her absence, the immediate past Vice-President, who shall act as presiding officer pro tempore.

The oath of office shall be administered to new members by the Treasurer, a member of the Governing Board, or other person as permitted in Ohio Revised Code. R.C. 3313.10

The Governing Board shall then proceed to the election of a President, who may then take the chair, and then proceed likewise in selecting a Vice-President.

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

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

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

- A. Officers shall serve for one (1) year and until their respective successors are elected and shall qualify. R.C. 3313.14
- B. In the event that the office of President becomes vacant, the Vice-President shall fill the office for the remainder of the term. (OAG 68-113)
- C. In the event that the office of Vice-President becomes vacant, the Board shall fill the vacancy for the unexpired term in the same manner as the election conducted at the organizational meeting.

#### 0153 **Appointees**

At the organizational meeting, the Board shall appoint the following:

- A. a school physician (R.C. 3313.68)

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- B. a member to serve as delegate to the Ohio School Boards Association Annual Conference (this may wait until requests are made by OSBA later in the summer);
- C. a member to serve as legislative liaison to the Ohio School Boards Association;
- D. members to serve four-year terms as representative of all Local Districts on the Licking County C-TEC Governing Board. There shall be three such members – two on four year terms, and the other starting two years later for a term of four years. The four-year term is to be simultaneously served as the years of elected terms. These members may be reappointed as long as they are re-elected to their post at the LCESC Governing Board; and
- E. a designee to attend public record access training required for Board members for each term of office (R.C. 109.43). (*Revised: Sept. 16, 2008*)

0154

### **Motions**

The Governing Board shall, at the organizational meeting:

- A. designate a day, place, and time for regular meetings which shall be held at least once every two (2) months; R.C. 3313.15
- B. designate a newspaper published in the county as the official newspaper for the publication of those notices required by law to be made in a newspaper; R.C. 7.12
- C. readopt standing authorizations for the Superintendent and Treasurer for the calendar year;
- D. establish a Service Fund for the payment of expenses actually incurred by Board members in the performance of their duties or members-elect in training and orientation to the performance of their duties. R.C. 3313.15

Revised: October 11, 2005

0155

### **C-TEC**

The Licking County School District/Licking County Educational Service Center shall be a participating member of the Licking County vocational program district, which in 2004 was renamed C-TEC (Career and Technology Education Centers of Licking County), and represent the local districts of this county with three (3) Governing Board members (as described in 0153 (D) above) on the Board of C-TEC. (R.C. 3311.19)

Adopted: May 12, 1981

Revised: November 9, 2004



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### MEETINGS

- 0161           **Parliamentary Authority**  
The parliamentary authority governing the Governing Board shall be Robert's Rules of Order, Newly Revised, in all cases in which it is not inconsistent with statute, administrative code, or these bylaws.
- 0162           **Quorum**  
Three (3) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum. R.C. 3313.18
- 0163           **Presiding Officer**  
The President shall preside at all meetings of the Governing Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.
- 0164           **Notice of Meetings**  
A.           A schedule of the time and place of each regular meeting(s) shall be published annually in the official newspapers and posted at the County office.  
  
                  The notice shall also contain the following statement: "Upon request to the Superintendent, the District shall make reasonable accommodation for a disabled person to be able to participate in this activity."  
  
B.           Notice of meetings at which a specific type of public business is to be discussed shall be sent to all persons requesting such notice, provided that such persons supply the Board with stamped, addressed envelopes for that purpose.  
  
C.           Notice of the time, place, and purpose of each special meeting shall be given to the news media twenty-four (24) hours in advance of the meeting, except that when an emergency requires the immediate official action of the Board, the member(s) calling the meeting shall immediately notify the media requesting such notice of the time, place, and purpose of the meeting. R.C. 121.22
- 0165.1       **Regular Meetings**  
Regular meetings of the Governing Board shall be public and held at least once every two (2) months. R.C. 121.22, 3313.15  
  
A.           It shall be the responsibility of the Superintendent in cooperation with the Treasurer to prepare an agenda of the items of business to come before the Board at each regular meeting.

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- B. The order of business shall be as follows, unless altered by the presiding officer:
- Call to Order
  - Pledge of Allegiance
  - Roll call
  - Approval of minutes
  - Financial considerations
  - Hearing of visitors
  - Report of the Superintendent
  - Items for consideration
  - Correspondence
  - Unfinished business
  - New business
  - Board Member Comments
  - Adjournment
- C. Each agenda shall contain the following statement:  
"This meeting is a meeting of the Licking County Educational Service Center Governing Board in public for the purpose of conducting the Educational Service Center'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 an agenda item "Hearing of Visitors."
- D. The agenda for each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda.

0165.2

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

- A. Special meetings shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time, place, and purpose of such meeting upon each Board member at least two (2) days in advance of the meeting. R.C. 3313.16
- B. The agenda for a special meeting is limited to the purpose set forth in the public notice that is provided at least twenty-four (24) hours in advance of the meeting. As such, when the Board calls a special meeting to discuss particular issues, the statement of the meeting's purpose must specifically indicate those issues, and the Board may only discuss those issues at the special meeting. Nothing, however, shall prevent the Board from specifying in the public notice that the special meeting is being held for "general purposes" if that is the actual reason for the meeting.

0165.3

### **Recess or Adjourn a Meeting**

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

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0166

### Executive Session

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

- A. consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee, official, or student
- B. investigation of charges or complaints against a public employee, official, licensee, or student unless such employee, official, licensee, or student requests a public meeting; except that consideration of the discipline of a Board member for conduct related to the performance of his/her duties or his/her removal from office shall not be held in executive session.
- C. consideration of the purchase of property or sale of property at competitive bidding, if premature disclosure or information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest
- D. discussion, with the Governing Board's legal counsel, of disputes involving the Board that are the subject of pending or imminent court action
- E. preparation for conduct or review of negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of employment
- F. matters required to be confidential by Federal law or rules or State statutes
- G. specialized details of security arrangements where disclosure might reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of law
- H. Audit briefing from an examiner from the State Auditor's Office.

No official action may be taken in executive session. 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 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 Governing Board in executive session. In keeping with the confidential nature of executive sessions, no member of the Governing Board shall disclose the content of discussions that take place during such sessions.

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All members of the Board are entitled to attend executive sessions. The Board, committee or subcommittee may invite any other person to attend an executive session as deemed appropriate. **R.C. 3313.20**  
1-10-06

0166.1

### **Local Board Sessions**

The Governing Board shall call a meeting of all local district boards at least once a year. (R.C. 3515.06)

0167

### **Voting**

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

Pursuant to R.C. 121.22, a motion to go into executive session requires a majority vote of a quorum and must be adopted by a roll call vote.

In situations in which a specific number of affirmative votes are required and abstentions have been recorded, the motion shall fail if the specific number of affirmative votes has not been cast. In situations in which a tie vote occurs and abstentions have been recorded the motion shall fail for lack of a majority.

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

Revised: June 14, 2011

<u>Item</u>	<u>Number Needed</u>	<u>R.C. Reference</u>
Declaring it necessary to issue bonds	4/5, Full Board	133.18
Declaration by remaining members, that reasons for a member's absence for ninety (90) days are insufficient to continue membership	Majority, Full Board	3313.11
Filling a vacant Governing Board seat (majority or remaining members)	Majority, Full Board	3313.11

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Purchase or sell real estate	Majority, Full Board	3313.18
Appointment of any employee	Majority, Full Board	3313.18
Elect or appoint an officer	Majority, Full Board	3313.18
Pay any debt or claim	Majority, Full Board	3313.18
Adopt textbook	Majority, Full Board	3313.18
<u>Item</u>	<u>Number Needed</u>	<u>R.C. Reference</u>
Dispense with resolution authorizing purchase or sale of personal property, appointment of employees, etc., if annual appropriation resolution has been adopted by a majority of full membership	Majority, Full Board	3313.18
Removal of the Treasurer or Pro Tempore at any time for cause	4/5, Full Board	3313.22
Appointment of Treasurer Pro Tempore	Majority, Full Board	3313.23
Determination that Treasurer's incapacity is removed	Majority, Full Board	3313.23
Affirm, reverse, vacate or modify an order of student expulsion; reinstate a student	Majority, Full Board	3313.66(E)
Appointment of Superintendent Pro Tempore	Majority, Full Board	3319.011

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Removal of Superintendent Pro Tempore at any time for cause	4/5, Full Board	3319.011
Reemployment of a teacher after considering two nominations by the County Superintendent	4/5, Full Board	3319.07
Rejection of the County Superintendent's recommendation that a teacher eligible for continuing contract be reemployed	4/5, Full Board	3319.11
Selection of textbooks Full Board	Majority,	
Change, revision, or substitution of textbooks during four-year period after adoption	4/5, Full Board	3329.08
<u>Item</u>	<u>Number Needed</u>	<u>R.C. Reference</u>
Transfers of funds in certain cases	4/5, Full Board	5705.14
Resolution declaring the necessity for certain transfers of funds	Majority, Full Board	5705.16
Levying a tax outside 10-mill limitation (not emergency)	4/5, Full Local Board	5705.21

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

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A vote of **three-fourths** is required to employ an administrator not recommended by the County Superintendent. (R.C. 3319.02)

The following actions require a recorded roll call majority vote of the full board:

1. The purchase or sale of real or personal property. (R.C. 3313.18)
2. Employment of the Superintendent. (R.C. 3313.18)
3. Employment of a teacher or other employee. (R.C. 3313.18)
4. Payment of a debt or claim. (R.C. 3313.18)
5. Adoption of any textbook. (R.C. 3313.18)
6. Adoption, amendment, repeal or suspension of a bylaw or policy of the Governing Board.
7. Removal of a Treasurer from leave as a result of incapacity. (R.C. 3313.23)
8. Pay the expenses of conducting a meeting of members of all local districts in the county. (R.C. 3815.06)

The Governing Board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

0167.1

### **Use of Electronic Mail/Text Messages**

Since E-mail and Text Messages are forms of communication that could conflict with the Sunshine Law, they may be used to conduct business of the Governing Board only for the purposes of communicating:

1. 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;
2. possible agenda items between the Superintendent and the Governing Board President;
3. times, dates, and places of regular/special Governing Board meetings;
4. a Board meeting agenda or public record information concerning items on the agenda;
5. requests for public record information from a member of the administration, school staff, or community pertaining to County operations;

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6. a Board meeting agenda or public record information concerning items on the agenda;
7. requests for public record information from a member of the administration, school staff, or community pertaining to County operations;
8. responses to general questions posed by members of the public, administrators, or school staff without using their names.

Under no circumstances shall Governing 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.

0167.2

### **Use of Personal Communications Devices**

When performing their duties as a Governing Board member, regardless of whether they are using personally-owned or Board owned personal communication devices (PCDS), Board members use of PCDs shall be in accordance with the following policies and administrative guidelines:

Policy 7530.02 - Staff Use of Personal Communication Devices

Policy 7542 – Access to Center Technology Resources from Personally – Owned Communication Devices

Policy 7540.04 Staff Network and Internet Acceptable Use and Safety

For purposes of this Bylaw, PCDs shall be defined as set forth in the above-identified policies.

0168

### **Minutes**

The Treasurer shall keep reasonably comprehensive minutes of all Governing Board meetings showing the time and place, the members present, the subjects considered, the actions taken, the vote of each member on roll call votes, and any other information required to be shown in the minutes by law, which shall be available to the public. (R.C. 149.43, 3313.26) Minutes of executive sessions shall reflect the general subject matter of discussions. R.C. 121.22 The minutes of Governing Board meetings shall be considered at the next succeeding meeting where they shall be read (unless waived by law), corrected, and approved. The approved minutes shall be signed by the Treasurer and the President. The approved minutes shall be filed in the Treasurer's office in a prescribed minute book as a permanent record of official Governing Board proceedings.

R.C. 149.43, 3313.23, 3313.26, 3315.07



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### 0169.1 **Public Participation at Board Meetings (Hearing of visitors-see 0165.1, C)**

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

The Board is also committed to conducting its meetings in a productive and efficient manner that assures that the regular agenda of the Board is completed in a reasonable period of time, honors the voluntary nature of the Board's time and using that time efficiently, and allows for a fair and adequate opportunity for input to be considered. Consequently, public participation at Board meetings will be governed by the following principles:

Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than ten (10) days prior to the meeting and include:

- A. name and address of the participant;
- B. group affiliation, if and when appropriate;
- C. topic to be addressed.

Such requests shall be subject to the approval of the Superintendent and the Board President.

In order to permit the fair and orderly expression of such comment, the Governing Board shall provide a period for public participation at every regular meeting of the Board and publish rules to govern such participation in Board meetings.

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

Revised: May 12, 1981, February 10, 1998, November, 2010

### 0169.11 **The presiding officer shall be guided by the following rules for visitors:**

- A. Public participation shall be permitted as indicated on the order of business in the bylaws of this Board at the discretion of the presiding officer.
- B. Anyone having a legitimate interest in the actions of the Board may participate during the public portion (Hearing of visitors) of a meeting.
- C. Participants must be recognized by the presiding officer and must preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate.
- D. Each statement made by a participant shall be limited to three (3) minutes duration.
- E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.

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- 0169.11 (continued)

- E. All statements shall be directed to the presiding officer; no person may address or question Governing Board members individually;
- G. Tape or video recordings are permitted, providing the person operating the recorder has given notice to the Superintendent or the Board President prior to the Board meeting and agrees to the placement of the equipment and to abide by the following conditions:
  - 1. No obstructions are created between the Board and the audience.
  - 2. No interviews are conducted in the meeting room while the Board is in session.
  - 3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

The presiding officer may:

- A. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
- B. request any individual to leave the meeting when that person does not observe reasonable decorum;
- C. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- D. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
- E. waive these rules.

The portion of the meeting during which the participation of the public is invited shall be limited to twenty (20) minutes, unless extended by a vote of the Board.

R.C. 3313.20, 3315.07 (C)(2)

**0169.2 Open Meetings/Sunshine Law**

The Sunshine Law Applies to the Board by law or rule.

A “meeting” to which the Sunshine Law applies is any prearranged discussion of public business of the Board 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 Email, text messages, tweet, or other forms of communications.

Adopted: 1-10-06

Revised: 12-13-16

**DUTIES**

**0171 Review of Policy**

The Governing Board will evaluate how policies have been implemented and their general effectiveness. It will rely on the school staff, students, and community to provide evidence of the effect of the policies it has adopted. The Superintendent shall submit to staff and Board by email a “Notice of Policy Change” prior to consideration of such change.

The Superintendent shall continually call to the Governing Board's attention all policies that need revision.

The Governing Board directs the Superintendent to recall all policy and regulations manuals periodically for purposes of administrative updating and Board review. The Board also directs the Superintendent to post policy changes on the organization's website and keep as current as possible. R.C. 3302.01-.08

**0171.1 Review of Policy - Educational Resources**

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

**0171.2 Review of Policy - Philosophy and Goals**

It will be the policy of the Governing Board to review its policies on the philosophy of education, educational goals, curriculum and instruction, participation of disabled students, and educational options on a continuing basis in order to keep them up-to-date.

**0171.3 Review of Policy - Community Relations**

It will be the policy of the Governing Board to review its policies on planned community relations on a continuing basis in order to keep them up-to-date. A.C. 117-2-21

**0172.1 Requirements of a County Governing Board**

1. Elect/employ a County Superintendent of Schools for a term not longer than five years, unless the Superintendent is re-employed by the board (R.C. 3319.01)
2. Hold an organization meeting of the **LCESC Governing Board** during the month of January of each year and elect a president and vice-president to serve for one year. (R.C.3313.14)
3. Appoint a Treasurer. (R.C. 3313.22)
4. Hold regular meetings at least every two months. (R.C. 3313.15)

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#### 0172.1 (continued) Requirements of a County Governing Board

5. Adopt rules and regulations not inconsistent with policies and regulations prescribed by the State Board of Education for its own government and the government of its employees. (R.C. 3313.20)
6. Prepare each year, on or before a date set by the State Board of Education, a budget of operating expenses for the ensuing year for the county governing board of education. (R.C. 3317.11)
7. Require its Superintendent to keep and prepare all reports required by law. (R. C. 3319.32)
8. Adopt lists of textbooks for local school districts subject to the right of each local school district to select from said list the books to be used in that district. (R.C. 3329.08)
9. Prescribe a graded course of study for the local school districts. (R.C. 3313.60)
10. Employ a county attendance officer, or with the consent of the Judge of the Juvenile Court, designate a probation officer as such. (R.C. 3321.15)
11. Provide for physical examination of bus drivers. (R.C. 3327.10)
12. Issue certificates of qualification to school bus drivers. (R.C. 3327.10)
13. Rule on transportation when local board does not provide. (R.C. 3327.02)
14. Grant sick leave to its employees in accordance with the provisions of the law. (R.C. 124.38, 3319.141)
15. Make an equitable division of funds between the districts involved when it creates a new local school district from one or more local districts or parts thereof and when it transfers a part of a local school district to an adjoining district. (R.C. 3311.22, 3311.321, 3311.26)
16. Issue an Annual Report of school progress in accordance with guidelines established by the State Board of Education. (R.C. 3313.94)
17. Adopt rules entitling regular non-teaching employees to a minimum of three days of personal leave at employees regular compensation. (R.C. 3319.142)

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#### 0172.1 (continued) Requirements of a County Governing Board

18. Adopt policy regarding sick leave severance pay consistent with law. (R.C. 124.39 143.291)
19. Employ persons without regard to race, age, color, religion, sex or national origin in all terms, conditions and privileges of employment. (R.C. 4112.02)
20. Provide supervisory services to local school districts. (R.C. 3317.11)

#### 0172.2 Permissive Duties of a Governing Board

1. Establish a service fund not exceeding such amount as may be approved by the State Board of Education to be used for the purposes authorized by law. (R.C. 5515.15)
2. Appoint one or more assistant superintendents and such other administrative officers and employees as are necessary. (R.C. 3319.02)
3. Assign to such employees such administrative duties as are not in conflict with law or imposed on any other officers or employees by law. (1934 OAG 3566)
4. Allow the County Superintendent of schools and Assistant County Superintendent each a sum, to be determined by the Board, for traveling expenses with the Licking County School District. (R.C. 3315.06)
5. Determine the method of paying its employees and fix the compensation for same. (R.C. 3315.08)
6. Provide materials, supplies and equipment for the use of its Superintendents in furthering the instructional program of the county school district. (R.C. 3315.06)
7. Provide funds for bulletins and materials necessary for the effective administration of the schools in the county school district. (R.C. 3315.07)
7. Expend funds for conducting studies pertaining to school district organization, building needs, curriculum and instructional needs, improved and additional services for county boards of education and for publishing reports and studies. (R.C. 3315.061)
9. Employ stenographers and clerks. (R.C. 3315.06)
10. Enter into contractual agreements for cooperative services. (R.C. 3313.841)

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#### 0172.2

#### Permissive Duties of a Governing Board (continued)

11. Purchase or lease real property; purchase or lease motor vehicles. (R.C. 3313.172)
12. Join a school boards association and pay the dues permitted by law. (R.C. 3313.87)
13. Establish and maintain classes for mentally and physically handicapped persons subject to approval by the State Board of Education. (R.C. 3317.11, 3323.01)
14. Propose the transfer of a part or all of one or more local districts to an adjoining school district. (R.C. 3311.22 and 3311.231)
15. Set effective date for transfer of school territory prior to July 1 of any year. (R.C. 3311.22, 3311.231, 3311.26)
16. Propose the creation of a new local school district from one or more local school districts or parts thereof. (R.C. 3311.26)
17. If it owns property other than trust property not authorized to be sold, may dispose of such property according to law. (R. C. 3313.41)
18. Employ assistant attendance officers. (R.C. 3321.15)
19. Call educational meetings and pay expenses of same, and call a meeting of all local boards of education at least once a year. (R.C. 3315.06)
20. Accept any gift, property or endowment, and administer the same. (R.C. 3313.17, 3313.36)
21. Purchase for local school districts and accept donations of supplies and equipment and pay the transportation, handling and storage charges as well as the cost of the merchandise subject to authorization and reimbursement of the boards of education of such local school districts. (R.C. 315.07)
22. Purchase liability insurance. (R.C. 3313.203)
23. Expend funds for consultant services. (R.C. 3313.171)
24. Contract for sharing services. (R.C. 3313.841)
25. Purchase or lease property, build, enlarge, repair and furnish the necessary facilities for conducting special education programs. (R.C. 3313.37(A))

## GOVERNING BOARD

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#### 0173 Duties of Board Officers

1. The **President** of the Board shall:
  - a. Preside at all public meetings of the Board.
  - b. Call special meetings of the Board. (R.C. 3313.06, 3313.16)
  - c. Sign notes conveyances, contracts, minutes, and other legal instrument for which the signature of the President is called. (R.C. 3313.26, 3313.51, 3315.08)
2. The **Vice President** shall assume and discharge the duties of the President in his/her absence, disability or disqualification.
3. The **Treasurer** of the Board shall:
  - a. Call special meetings of the Board. (R.C. 3313.16)
  - b. Sign all checks of the Board. (R.C. 3313.51)
  - c. Record the proceedings of each meeting of the Board. (R.C. 3313.26)
  - d. Notify the board of elections of all changes in boundaries of the school district. (R.C. 3313.26)
  - e. Deduct from the wages and salaries of teachers amounts authorized by the teacher and Board. (R.C. 3313.262)
  - f. Produce all money, bonds, and securities in his/her hands at the expiration of his/her term. (R.C. 3313.27)
  - g. Deliver all books, and papers in his/her hands to his/her successor at the expiration of his/her term. (R.C. 3313.28)
  - h. Keep an account of all district funds and maintain all records pertaining thereto in the manner described by law. (R.C. 3313.29)
  - i. Render a statement of accounts to the Board and Superintendent in the form prescribed by law and at the times required by law and by the Board. (R.C. 3313.29)
  - j. Execute all conveyances of the Board. (R.C. 3313.33)
  - k. Meet the qualifications specified for the position by law. (A.C. 3301-5-01)

Adopted: May 12, 1981

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