

**OFFICIAL MINUTES
OF THE
BOARD OF EDUCATION, DAYTON CITY SCHOOL DISTRICT**

MEMBERS

Yvonne Isaacs

Joseph Lacey

Ronald Lee

Jeffrey J. Mims Jr.

Nancy Nerny

Sheila Taylor

Stacy Thompson

OFFICERS

Jeffrey J. Mims Jr.
President

Nancy Nerny
Vice President

Kurt T. Stanic
Superintendent of
Schools

Lori Ward
Deputy to the Superintendent

Stanley E. Lucas
Treasurer / Chief Financial
Officer

Student Senate Representative:

April 21, 2009

Business Meeting

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These Minutes approved May 5, 2009, **Dayton, Ohio**
These Minutes published May 6, 2009, **Dayton, Ohio**

**Board of Education, Dayton City School District
Dayton, Montgomery County, Ohio
April 21, 2009 – Business Meeting**

The Board of Education of the Dayton City School District convened its regularly scheduled Business Meeting on Tuesday, April 21, 2009 at 6:10 p.m. in the Board Room, 115 S. Ludlow Street, Dayton, Montgomery County, Ohio, with President Mims in the Chair.

ROLL CALL

MEMBERS ANSWERING ROLL CALL: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson – 7
{SSR – Keith} - PRESENT

MEMBERS ABSENT: None – 0

PLEDGE

Pledge of allegiance to the flag.

SPECIAL RECOGNITION

Linnae Clinton addressed the board. Several Patterson Career Center Students participated in state level Business Professionals of America competition and were recipients of the chapter, regional, state and national award.

SPECIAL RECOGNITION

Dr. Stanic, Superintendent, made brief remarks regarding Marianne Urban's 50 years of service with the American Red Cross.

ACADEMIC UPDATE

Jane Rafal, Chief Academic Officer addressed the board and introduced Betsy Apolito, contact for the school improvement process in Region 10. Ms. Apolito made a brief presentation to the board.

DAYTON EDUCATION COUNCIL REPORT

Les Weller, President addressed the board.

HEARING OF THE PUBLIC

Ellis Hutchinson addressed the board.

HEARING OF THE BARGAINING UNITS

Pat Lynch addressed the board.

SUPERINTENDENT'S RECOMMENDATIONS

The following recommendations were presented by Dr. Kurt T. Stanic, Superintendent of Schools for consideration by the Board:

Board of Education, Dayton City School District
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GENERAL FUNDS**ITEM I**

I recommend that the **SEPARATIONS OF EMPLOYMENT** of the following persons be accepted for both regular and supplemental duties.

RESERVE TEACHER

001.1110.112.7321.000000.000.00.205

Cooney, Gabrielle

Assignment Ended

Eff. 03/19/2009

001.1100.112.7321.000000.000.00.205

Jordan, Reva

Resignation

Eff. 02/20/2009

001.1100.112.7321.000000.000.00.205

Oyeyemi, Simeon

Resignation

Eff. 02/24/2009

001.1100.112.7321.000000.000.00.205

Wade, Ophelia

Resignation

Eff. 02/23/2009

TEACHER

001.1310.111.3020.130000.368.00.205 50%

001.1130.111.3020.130000.368.00.205 50%

Dotson, Joanne

Retirement

Eff. 06/30/2009

001.1110.111.3020.000000.154.05.205

Elam, Carolyn

Retirement

Eff. 06/30/2009

494.1110.111.3020.000000.146.14.205

Fabian, Wanda

Retirement

Eff. 06/30/2009

001.1110.111.3020.000000.108.03.205

Ford, Lynn

Retirement

Eff. 06/30/2009

001.1110.111.3020.000000.135.06.205

Hoffman, Judith

Retirement

Eff. 06/30/2009

001.1226.111.4503.196120.182.00.206

Joyce, Regina

Retirement

Eff. 06/30/2009

001.1110.111.3020.000000.103.02.205

Kinney-Nelson, Lavonia

Retirement

Eff. 06/30/2009

494.1110.111.3020.000000.103.03.205

March, Brenda

Retirement

Eff. 06/30/2009

001.1110.111.3020.000000.138.06.205

Moorman, Mary

Retirement

Eff. 06/30/2009

001.1130.111.3020.060000.364.00.205

Parsley, Rena D.

Resignation

Eff. 06/30/2009

001.1110.111.3020.000000.154.01.205

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Wright, Debra

Retirement

Eff. 06/30/2009

ITEM II

I recommend that the following **LEAVE OF ABSENCE ACTIONS** for Members of the staff shown below be approved for the reasons stated.

TEACHER

001.1110.111.3020.120000.155.00.205

Blankenship, Katie

Maternity

Eff. 05/04/2009-06/15/2009

ITEM III

I recommend that the following **APPOINTMENTS AND CHANGES TO THE CONTRACTS** of the **PROFESSIONAL STAFF MEMBERS** shown be approved in accordance with the bargaining unit agreements, Board-approved salary schedules and/or mandates of the State Division of Career, Technical and Adult Education.

ADMINISTRATION**Rehire of Retired Teacher (Nurse)**

Temporary School Nurse at the rate of \$35.41 hourly, NTE 325 hours,

Eff. 04/01/2009-06/30/2009, 001.2134.413.1920.000000.500.00.320

Thurman, Dolores

TEACHER**New Hire****ROSA PARKS**

Teacher at the rate of \$38,159 annually,

Eff. 03/16/2009-06/30/2009, 001.1110.111.3020.000000.109.02.205

Wilson, Latoya

WESTWOOD PREK-8

Teacher at the rate of \$45,838 annually,

Eff. 04/13/2009-06/30/2009, 001.1110.111.3020.000000.151.02.205

Smith, Jeanne

Supplemental Contract**BELLE HAVEN**

Pre K - 8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,

Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.103.00.802

Weaver, Jesse

CLEVELAND ELEMENTARY

Pre K - 8 Boys & Girls Track Coach at the rate of \$2,205.84 annually,

Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.108.00.802

Murphy, George

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EASTMONT

MS Track Coach at the rate of \$2,177.56 annually,
Eff. 03/25/2009-06/06/2009, 001.4510.111.1551.000000.111.00.802
Hampton, Len

E.J. BROWN PREK-8

Pre K - 8 Boys & Girls Track Coach at the rate of \$1,866.48 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.147.00.802
Murphy, Donte

ROSA PARKS

Pre K - 8 Boys & Girls Track Coach at the rate of \$2,036.16 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.109.00.802
Watkins, Robert

STIVERS

Asst. Baseball Coach at the rate of \$1,575.60 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.1551.000000.271.00.802
Edwards, Michael

Pre K - 8 Boys & Girls Track Coach at the rate of \$1,781.64 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.271.00.802
Branham, Herman

Pre K - 8 Boys & Girls Track Coach at the rate of \$2,036.16 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.271.00.802
Jordan, Melvin

VALERIE

Pre K - 8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.146.00.802
Cosby, Keith

WESTWOOD PREK-8

Pre K - 8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 04/03/2009-06/06/2009, 001.4510.111.5510.000000.146.00.802
Longnecker, Charles

WILBUR WRIGHT

Pre K - 8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.273.00.802
Atwood, Amos
Smith, Vivian

WOGAMAN ELEMENTARY

Pre K - 8 Boys & Girls Track Coach at the rate of \$1,781.64 annually,
Eff. 03/16/2009-06/06/2009, 001.4510.111.5510.000000.154.00.802

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Lemon, Theo

ITEM IV

I recommend that the following **APPOINTMENTS AND CHANGES** for **NON-TEACHING PERSONNEL** be approved at the rates indicated and for the periods shown, in accordance with the salary schedule for the period stated.

OTHER PERSONNEL

New Hire

CAREER CENTER

Field Production Specialist at the rate of \$19.62 hourly, NTE 80 hours,
Eff. 05/05/2009, 001.1390.14.1020.00000.407.00.499
Marshall, Scott E.

PARAPROFESSIONAL

Change of Contract

PATTERSON/KENNEDY

From ESL Interpreter to Paraprofessional at the rate of \$13.16 hourly, NTE 65 hours,
Eff. 08/06/2008-06/30/2009, 001.2222.141.1510.000000.141.00.505
Kimball, Carmita

TEMPORARY

New Hire

SERVICE BUILDING

Substitute Custodian at the rate of \$7.20 hourly, NTE 80 hours,
Eff. 03/11/2009, 001.2700.142.6241.000000.578.00.902
Mays, Tracy

Substitute Clerical at the rate of \$8.68 hourly, NTE 80 hours,
Eff. 03/09/2009, 001.2214.142.3071.000000.000.00.502
Floyd, Debra

TRANSPORTATION

Rehire

TRANSPORTATION

Bus Driver at the rate of \$15.12 hourly, NTE 80 hours,
Eff. 02/26/2009, 001.2800.141.6320.000000.537.00.704
Holliday, Kelvin

ITEM V

I recommend that the members of the professional teaching staff be re-appointed for the school year 2009-2010, in accordance with the schedule of salaries at the rate of pay specified in the appointment list, and that the Treasurer be authorized to issue salary notices to teachers on continuing and limited contracts in accordance with Sections 3319.07, 3319.08, 3319.11, and 3319.12 of the Ohio Revised Code.

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ITEM VI

I recommend that the Board authorize the **General Funds PURCHASE ORDERS** as submitted by the Treasurer.

GENERAL FUNDS

TO: Superintendent of Schools
FROM: Treasurer
SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

(1) 116498
Vendor: Cincinnati Bell
Fund: 001.2310.412.2002.000000.000.00.000 (Qty: 1) (Amt: \$8,600.00)
(Treasurer)
Description: Inventory EJ Brown, Dunbar, and Ludlow II
Amount: \$8,600.00

(2) 116690
Vendor: Downtown Dayton Partnership
Fund: 001.2411.841.1020.000000.500.00.000 (Qty: 1) (Amt: \$5,000.00)
(Treasurer)
Description: 2009 Membership Dues
Amount: \$5,000.00

CONTRACT/AGREEMENT APPROVED ON 07/08/2008 BOARD AGENDA

(3) 113565
Vendor: Merchants Security Svc
Fund: 494.2760.410.1950.000000.500.00.000 (Qty: 1) (Amt: \$250,000.00)
(Safety and Security)
Description: P.O. is revised to reflect \$30,000.00 increase to cover security services for the remainder of fiscal year.
Amount: \$250,000.00

(4) 116460
Vendor: Trotwood Madison City Schools
Fund: 001.1220.470.4502.000000.500.00.000 (Qty: 1) (Amt: \$8,061.00)
(Special Education)
Description: Reimbursement of tuition paid to DPS for Trotwood student by State for the 08-09 SY.
Amount: \$8,061.00

NON/GENERAL FUNDS**ITEM VII**

I recommend that the **SEPARATIONS OF EMPLOYMENT** of the following persons be accepted for both regular and supplemental duties.

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NUTRITION SERVICES

006.3120.141.6902.000000.000.00.904

Bauman, Thomas

Retirement

Eff. 04/01/2009

006.3120.141.6902.000000.154.00.904

Shrout, Carol

Retirement

Eff. 06/11/2009

ITEM VIII

I recommend that the following **LEAVE OF ABSENCE ACTIONS** for Members of the staff shown below be approved for the reasons stated.

HEAD START

525.1270.141.9189.000000.459.00.205

Bryant-Felton, Angela

Suspension

Eff. 04/27/2009-05/01/2009

ITEM IX

I recommend that the following **APPOINTMENTS AND CHANGES TO THE CONTRACTS** of the **PROFESSIONAL STAFF MEMBERS** shown be approved in accordance with the bargaining unit agreements, Board-approved salary schedules and/or mandates of the State Division of Career, Technical and Adult Education.

ADMINISTRATION**Change of Contract**

From Associate Director, Career Programs to Associate Director, Student Enrollment Services. No change from present salary.

Eff. 04/22/2009-06/30/2009, 001.2413.111.4301.000000.569.00.110 (75%),

524.1390.111.9689.000000.368.00.110 (25%)

Ringer, Jacqueline

From Teacher to Distance Learning Coordinator at the rate of \$56,500 annually,

Eff. 05/04/2009-06/30/2010, 599.2213.111.9979.000000.500.00.499

Guy, Krista

RESERVE TEACHER

Title I Extended Day program at Dayton Boys Preparatory Academy at the rate of \$14.85 hourly, NTE 32 hours,

Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205

Wilson, Jacqueline

TEACHER**Supplemental Contract**

Title I Extended Day program at Westwood at the rate of \$39.92 hourly, NTE 36 hours,

Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205

Corley, Portia

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Title I Extended Day program at Kemp at the rate of \$38.65 hourly, NTE 40 hours,
Eff. 03/30/2009-04/19/2009, 572.1910.113.9769.000000.500.00.205
Goss, Emanuel

Title I Extended Day program at Orville Wright at the rate of \$43.40 hourly, NTE 28 hours,
Eff. 03/03/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205
Shambo, Virginia

ITEM X

I recommend that the following **APPOINTMENTS AND CHANGES for NON-TEACHING PERSONNEL** be approved at the rates indicated and for the periods shown, in accordance with the salary schedule for the period stated.

NUTRITION SERVICES

New Hire

NUTRITION SERVICES

Substitute Food Service Helper at the rate of \$7.30 hourly, NTE 80 hours,
Eff. 02/23/2009, 006.3120.142.6902.000000.000.00.904
Amerson, Charlene
Belton, Gwendolyn

Substitute Food Service Helper at the rate of \$7.30 hourly, NTE 80 hours,
Eff. 02/16/2009, 006.3120.142.6902.000000.000.00.904
Hall, Brandy

Substitute Food Service Helper at the rate of \$7.30 hourly, NTE 80 hours,
Eff. 02/16/2009, 006.3120.142.6902.000000.000.00.904
Jones, Melissa

Substitute Food Service Helper at the rate of \$7.30 hourly, NTE 80 hours,
Eff. 02/23/2009, 006.3120.142.6902.000000.000.00.904
Rountree, Ericka

TEMPORARY

New Hire

NUTRITION SERVICES

Substitute Food Service Helper at the rate of \$7.14 hourly, NTE 80 hours,
Eff. 04/13/2009, 006.3120.142.6902.000000.000.00.904
Gilbert, Diane
Grant, Geraldine
Simpson, Kelly Yvette
Tincher, Terry Lee

ITEM XI

I recommend that the following **CONTRACTS FOR CONSULTANT SERVICES** be approved in the amounts shown for the reasons stated.

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Anzalone, Ann, 116 Hilltop Ave, Dayton, OH 45419

NTE: \$400.00

To provide training for parents on strategies to help their children learn to read.

Purchase Order: 11151020

Eff.: 05/07/2009-06/30/2009.

Code: 572.2213.412.9769.000000.000.00.000 (Qty: 1) (Amt: \$400.00)

Mosier, Will, 649 Greenlawn Ave, Dayton, OH 45403

NTE: \$300.00

To provide training to parents of Rosa Parks K-8 Elementary school students on reinforcing effective instructional strategies in literacy and math.

Purchase Order: 11151021

Eff.: 04/22/2009-06/30/2009.

Code: 572.2213.412.9769.000000.000.00.000 (Qty: 1) (Amt: \$300.00)

Powell, Alfred, 4519 College View Dr, Dayton, OH 45427

NTE: \$2,000.00

Consultant to model effective instructional & learning techniques for enhancing student literacy and math success at Louise Troy PreK-7 School.

Purchase Order: 11150997

Eff.: 05/01/2009-05/30/2009.

Code: 572.2213.412.9769.000000.000.00.000 (Qty: 1) (Amt: \$2,000.00)

Wireless Generation, Inc, 55 Washington St Ste 900, Brooklyn, NY 11201

NTE: \$6,700.00

To train Wogaman PreK-8 staff on the use of equipment and technology plus interpret data. This technology supports data which is necessary for differentiation to improve comprehension and ultimately improve reading achievement.

Purchase Order: 11150973

Eff.: 06/16/2009-06/16/2009.

Code: 572.1270.516.9769.000000.500.00.000 (Qty: 1) (Amt: \$6,700.00)

Wireless Generation, Inc, 55 Washington St Ste 900, Brooklyn, NY 11201

NTE: \$16,000.00

To receive product training sessions and data analysis for mCLASS: Reading 3D Benchmark Data.

Purchase Order: 11150976

Eff.: 04/22/2009-06/30/2009.

Code: 599.2213.412.9819.000000.000.00.000 (Qty: 1) (Amt: \$16,000.00)

ITEM XII

I recommend that the Board of Education enter into the following **CONTRACTS AND AGREEMENTS**, and further, that the officers of the Board be authorized to sign same.

ADAMHS Board of Montgomery - Amendment to Memorandum of Agreement between DPS and ADAMHS (Alcohol, Drug Addiction and Mental Health Services Board) and South Community, Inc. Effective 07/01/2008-06/30/2009. Code: 516.1229.411.9669.000000.000.00.000 (Qty: 1) (Amt: \$600,772.00) **Purchase Order: 11148822**

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ITEM XIII

I recommend approval of the following resolution.

Rationale

Request permission to secure competitive bids for replacement school buses.

Whereas, Board approval is needed to authorize the Superintendent to file the required forms and to authorize the Treasurer to secure competitive bids for the purchase of four (4) 72 passenger school buses with lifts, six (6) 54 passenger buses with lifts, and twenty (20) 72 passenger conventional buses in accordance with the State of Ohio, Department of Education Administrative code 3301.85.01 and Section 3317.01 of the Ohio Revised Code. Bid Specifications will be on file in the Office of Purchasing and Contract Administration.

Whereas, funding for said buses will come from the permanent improvement fund.

Whereas, this fund could be reimbursed with long-term financing.

NOW, THEREFORE, BE IT RESOLVED that the Superintendent be hereby authorized to file the appropriate forms for seeking school bus purchase assistance and the Treasurer be authorized to advertise for bids, to be opened and read publicly in accordance with provisions 3313.46 and 3327.08 of the Ohio Revised Code. Said bids will be tabulated and reported to the Board at its earliest meeting after said bid opening.

ITEM XIV

I recommend that the Board authorize the **Non-General Funds PURCHASE ORDERS** as submitted by the Treasurer.

NON-GENERAL FUNDS

TO: Superintendent of Schools
FROM: Treasurer
SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

(1) 116666
Vendor: Coolidge, Wall, Womsley & Lombard
Fund: 022.2500.899.2014.000000.000.00.000 (Qty: 1) (Amt: \$40,000.00)
(Treasurer)
Description: Professional services rendered for worker's compensation.
Amount: \$40,000.00

OSFC FUNDS**ITEM XV**

I recommend that the Board of Education enter into the following **CONTRACTS AND AGREEMENTS**, and further, that the officers of the Board be authorized to sign same.

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Dayton School Design - Purchase order increased by \$20,413.42 to provide additional services as required to relocate the Engineering Technology Lab as necessary to accommodate the Cosmetology Lab at David H. Ponitz CTC. Effective 4/21/09-7/21/09. Code: 010.5500.418.7410.000000.407.82.035 (Qty: 1) (Amt: \$803,741.33) Code: 004.5500.418.7411.000000.407.82.035 (Qty: 1) (Amt: \$655,830.54) Code: 010.5500.418.7409.000000.407.82.035 (Qty: 1) (Amt: \$513,867.41) **Purchase Order: 95303**

ITEM XVI

I recommend approval of the Construction Documents Phase Submission for the new Charity Adams-Earley PK-8 School.

Rationale

The Dayton Board of Education the Board is undertaking a Classroom Facilities Assistance Program Project in cooperation with the Ohio School Facilities Commission OSFC through the OSFC's Accelerated Urban Program, which will result in the construction of new school facilities and renovations and additions to existing facilities within the school district, as described in a Master Plan accepted by the Board. At this time, the Architect and the Construction Manager have prepared the documents required by the OSFC for the construction documents phase submission for new Charity Adams-Earley PK-8 School the Project. The construction documents phase submission, assembled by the Construction Manager, includes drawings prepared by the Architect, an estimate of probable construction cost and preliminary schedule for the Project reviewed and revised by the Construction Manager, comments prepared by the Construction Manager based upon its review of the documents for compliance with the Ohio School Design Manual and the Master Plan, and the Construction Manager's recommendation letter for approval.

The Construction Manager, together with the Architect, and the Chief Construction Officer recommends approval of the Construction Documents Phase Submission for the new Charity Adams-Earley PK-8 School dated April 7, 2009, and request authorization to proceed with preparation of the documents required for the construction documents phase for the new Charity Adams-Earley PK-8 School.

NOW, THEREFORE, BE IT RESOLVED by the Dayton Board of Education of the Dayton City School District, Montgomery County, Ohio, that the Board of Education accepts the recommendation of the Superintendent and approves the Construction Documents Phase Submission dated April 7, 2009, for the new Charity Adams-Earley PK-8 School, as presented by the Construction Manager, subject to approval of the OSFC.

BE IT FURTHER RESOLVED that the Board directs the Architect and Construction Manager to proceed with preparation of the construction documents phase submission documents for the new Charity Adams-Earley PK-8 School, based upon the approved design development phase documents.

ITEM XVII

I recommend approval of the Construction Documents Phase Submission for the new Meadowdale PK-8 School.

Rationale

The Dayton Board of Education the Board is undertaking a Classroom Facilities Assistance Program Project in cooperation with the Ohio School Facilities Commission OSFC through the OSFC's Accelerated Urban Program, which will result in the construction of new school facilities and renovations and additions to existing facilities within the school district, as described in a Master Plan accepted by the Board. At this time, the Architect and the Construction Manager have prepared the documents required by the OSFC for the construction documents phase submission for new Meadowdale PK-8 School the Project. The construction documents phase submission, assembled by the Construction Manager, includes drawings prepared by the Architect, an estimate of probable construction cost and preliminary schedule for the Project reviewed and revised by the Construction Manager, comments prepared by the Construction

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Manager based upon its review of the documents for compliance with the Ohio School Design Manual and the Master Plan, and the Construction Manager's recommendation letter for approval.

The Construction Manager, together with the Architect, and the Chief Construction Officer recommends approval of the Construction Documents Phase Submission for the new Meadowdale PK-8 School dated April 8, 2009, and request authorization to proceed with preparation of the documents required for the construction documents phase for the new Meadowdale PK-8 School.

NOW, THEREFORE, BE IT RESOLVED by the Dayton Board of Education of the Dayton City School District, Montgomery County, Ohio, that the Board of Education accepts the recommendation of the Superintendent and approves the Construction Documents Phase Submission dated April 8, 2009, for the new Meadowdale PK-8 School, as presented by the Construction Manager, subject to approval of the OSFC.

BE IT FURTHER RESOLVED that the Board directs the Architect and Construction Manager to proceed with preparation of the construction documents phase submission documents for the new Meadowdale PK-8 School, based upon the approved design development phase documents.

ITEM XVIII

I recommend approval of the Resolution for an Easement at Edison PreK-8 School.

Rationale

The Dayton Power and Light Company requires a Right of Way and Easement for any and all purposes for which electric energy is now or may hereafter be used, and also to construct, reconstruct, erect, add to, operate, maintain, use, remove, replace either overhead or underground electric facilities consisting of poles, lines, structures, wires, underground lines, cables, conduits, manholes, anchors, grounding systems, communication circuits, fiber optic cables, equipment, and all other necessary and incidental appurtenances contained in, over, upon, under and through, subject to the conditions hereinafter on the following premises, viz:

Situate in the City of Dayton, Montgomery County, Ohio and being Lots #7083, 12964, 12965, 12966, 12967, 14235, 14236, 14237 of the revised and consecutive numbers of lots on the plat of the City of Dayton, also an alley vacated by ordinance 22887 said lots and alley conveyed to The Board of Education of the Dayton City School District by deed recorded in Book 2320, Page 544 of the deed records of said county. Parcel I.D. R72 08408 0007 thru 0012, 0052 thru 0055; R72 08401 0061 thru 0063.

Said Right of Way and Easement shall be identified on Exhibit A.

The grant of Right of Way and Easement shall run with the land and be binding on and inure to the benefit of the parties.

NOW, THEREFORE, BE IT RESOLVED that this Board of Education, Dayton City School District, approve the conveyance of a Right of Way and Easement as set forth in the Dayton Power and Light Company Right of Way and Easement grant.

BE IT FURTHER RESOLVED that the Treasurer and President of the Board are authorized to sign a Right of Way and Easement right-of-way grant.

ITEM XIX

I recommend that the Board authorize the **OSFC PURCHASE ORDERS** as submitted by the Treasurer.

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OSFC FUNDS

TO: Superintendent of Schools

FROM: Treasurer

SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

CONTRACT/AGREEMENT APPROVED ON 6/19/07 BOARD AGENDA

(1) 108238

Vendor: The Brewer-Garrett Company

Fund: 010.5500.418.7485.000000.273.83.038 State Share (Qty: 1) (Amt: \$21,950.26)
 Fund: 010.5500.418.7577.000000.184.83.038 State Share (Qty: 1) (Amt: \$28,954.38)
 Fund: 004.5500.418.7575.000000.115.83.038 LFI Funding (Qty: 1) (Amt: \$5,966.09)
 Fund: 004.5500.418.7578.000000.184.83.038 LFI Funding (Qty: 1) (Amt: \$5,556.81)
 Fund: 004.5500.418.7514.000000.112.83.038 LFI Funding (Qty: 1) (Amt: \$4,789.46)
 Fund: 010.5500.418.7526.000000.142.83.038 State Share (Qty: 1) (Amt: \$23,136.73)
 Fund: 004.5500.418.7450.000000.367.83.038 LFI Funding (Qty: 1) (Amt: \$10,422.70)
 Fund: 010.5500.418.7525.000000.142.83.038 Local Share (Qty: 1) (Amt: \$14,792.34)
 Fund: 010.5500.418.7513.000000.112.83.038 State Share (Qty: 1) (Amt: \$23,614.04)
 Fund: 004.5500.418.7487.000000.273.83.038 LFI Funding (Qty: 1) (Amt: \$6,444.97)
 Fund: 010.5500.418.7470.000000.115.83.038 Local Share (Qty: 1) (Amt: \$14,509.52)
 Fund: 010.5500.418.7582.000000.117.83.038 Local Share (Qty: 1) (Amt: \$16,707.51)
 Fund: 010.5500.418.7486.000000.273.83.038 Local Share (Qty: 1) (Amt: \$14,033.77)
 Fund: 004.5500.418.7584.000000.117.83.038 LFI Funding (Qty: 1) (Amt: \$5,149.22)
 Fund: 010.5500.418.7449.000000.367.83.038 State Share (Qty: 1) (Amt: \$34,697.59)
 Fund: 004.5500.418.7479.000000.363.83.038 LFI Funding (Qty: 1) (Amt: \$13,282.16)
 Fund: 010.5500.418.7573.000000.181.83.038 Local Share (Qty: 1) (Amt: \$15,151.71)
 Fund: 010.5500.418.7585.000000.180.83.038 Local Share (Qty: 1) (Amt: \$14,856.27)
 Fund: 010.5500.418.7509.000000.111.83.038 Local Share (Qty: 1) (Amt: \$15,137.48)
 Fund: 010.5500.418.7583.000000.117.83.038 State Share (Qty: 1) (Amt: \$26,132.27)
 Fund: 010.5500.418.7531.000000.146.83.038 Local Share (Qty: 1) (Amt: \$16,760.27)
 Fund: 010.5500.418.7478.000000.363.83.038 Local Share (Qty: 1) (Amt: \$21,289.26)
 Fund: 010.5500.418.7576.000000.184.83.038 Local Share (Qty: 1) (Amt: \$18,511.81)
 Fund: 010.5500.418.7532.000000.146.83.038 State Share (Qty: 1) (Amt: \$26,214.77)
 Fund: 010.5500.418.7512.000000.112.83.038 Local Share (Qty: 1) (Amt: \$15,097.50)
 Fund: 010.5500.418.7574.000000.181.83.038 State Share (Qty: 1) (Amt: \$23,698.83)
 Fund: 004.5500.418.7572.000000.181.83.038 LFI Funding (Qty: 1) (Amt: \$3,578.46)
 Fund: 010.5500.418.7448.000000.367.83.038 Local Share (Qty: 1) (Amt: \$22,183.71)
 Fund: 004.5500.418.7511.000000.111.83.038 LFI Funding (Qty: 1) (Amt: \$3,614.95)
 Fund: 010.5500.418.7510.000000.111.83.038 State Share (Qty: 1) (Amt: \$23,676.57)
 Fund: 010.5500.418.7469.000000.115.83.038 State Share (Qty: 1) (Amt: \$22,694.39)
 Fund: 004.5500.418.7533.000000.146.83.038 LFI Funding (Qty: 1) (Amt: \$3,564.96)
 Fund: 004.5500.418.7527.000000.142.83.038 LFI Funding (Qty: 1) (Amt: \$3,902.93)
 Fund: 010.5500.418.7477.000000.363.83.038 State Share (Qty: 1) (Amt: \$33,298.58)
 Fund: 010.5500.418.7586.000000.180.83.038 State Share (Qty: 1) (Amt: \$23,236.73)

(Construction Office)

Description: Purchase order increased by \$254,886.00 for the expansion of commissioning services and to add Charity Adams Girls School.

Amount: \$576,609.00

**Board of Education, Dayton City School District
Dayton, Montgomery County, Ohio
April 21, 2009 – Business Meeting**

(2) 116576

Vendor: Central Insulation Systems Inc

Fund: 004.5599.620.7584.000000.117.83.030 LFI Funding (Qty: 1) (Amt: \$21,984.00)

(Construction Office)

Description: Asbestos and other hazardous material abatement in residential properties acquired on proposed site of new Montessori PK-8 School.

Amount: \$21,984.00

(3) 116574

Vendor: Central Insulation Systems Inc.

Fund: 004.5599.620.7584.000000.117.83.030 LFI Funding (Qty: 1) (Amt: \$14,662.00)

(Construction Office)

Description: Asbestos and other hazardous material abatement in residential properties acquired on proposed site of new Montessori PK-8 School.

Amount: \$14,662.00

(4) 116573

Vendor: Central Insulation Systems Inc.

Fund: 004.5599.620.7584.000000.117.83.030 LFI Funding (Qty: 1) (Amt: \$14,382.00)

(Construction Office)

Description: Asbestos and other hazardous material abatement in residential properties acquired on proposed site of new Montessori PK-8 School.

Amount: \$14,382.00

(5) 114508002

Vendor: Koester Electric, Inc.

Fund: 004.5500.620.7527.000000.142.83.007 LFI Funding (Qty: 1) (Amt: \$29,065.00)

(Construction Office)

Description: Change order #2 for Residence Park PK-8 School to revise the emergency power requirements.

Amount: \$29,065.00

(6) 116572

Vendor: Marsh USA Inc.

Fund: 010.5500.424.7574.000000.181.83.080 State Share (Qty: 1) (Amt: \$5,376.77)

Fund: 010.5500.424.7573.000000.181.83.080 Local Share (Qty: 1) (Amt: \$3,437.61)

Fund: 004.5500.424.7572.000000.181.83.080 LFI Funding (Qty: 1) (Amt: \$845.62)

(Construction Office)

Description: Additional premium to Great American Insurance to add Dayton Boys Preparatory Academy to Builders Risk Policy for Segment 3 Schools.

Amount: \$9,660.00

(7) 116577

Vendor: TES Tech, Inc.

Fund: 010.5500.418.7585.000000.180.83.085 Local Share (Qty: 1) (Amt: \$5,655.00)

Fund: 010.5500.418.7586.000000.180.83.085 State Share (Qty: 1) (Amt: \$8,845.00)

(Construction Office)

Description: Pre-renovation ACM and Hazardous materials survey, abatement design, and bid documents for Charity Adams Earley Academy for Girls.

Amount: \$14,500.00

(8) 116684

Vendor: TES Tech, Inc.

Fund: 010.5500.418.7434.000000.134.93.085 State Share (Qty: 1) (Amt: \$17,385.00)

Fund: 010.5500.418.7433.000000.134.93.085 Local Share (Qty: 1) (Amt: \$11,115.00)

**Board of Education, Dayton City School District
Dayton, Montgomery County, Ohio
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(Construction Office)

Description: Survey of ACM and hazardous materials and design of abatement at Charles L. Loos Elementary School.
Amount: \$28,500.00

CONTRACT/AGREEMENT APPROVED ON 12/16/08 BOARD AGENDA

(9) 115177

Vendor: Veolia Es Technical Solutions

Fund: 010.5500.620.7471.000000.364.92.030 State Share (Qty: 1) (Amt: \$15,098.49)

Fund: 010.5500.620.7472.000000.364.92.030 Local Share (Qty: 1) (Amt: \$9,653.14)

(Construction Office)

Description: Purchase order increased by \$5,042.15 for additional chemical removals at Dunbar High School.
Amount: \$24,751.63

Respectfully submitted,

Kurt T. Stanic, Ed.D.
Superintendent of Schools

It was moved by Mr. Lacey and seconded by Mr. Lee to accept the Superintendent's Recommendations.

AYES: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson - 7

NAYS: None - 0

Motion Carried.

TREASURER'S RECOMMENDATIONS

The following recommendations were presented by Stanley E. Lucas, Treasurer for consideration by the Board:

GENERAL & NON GENERAL FUNDS

ITEM XX

Pursuant to Section 3313.36 of the Ohio Revised Code, I recommend that the Board of Education of the Dayton City School District accept the following donations and that we convey our appreciation to the donor for their gracious and timely gifts.

A. DAYTON PUBLIC SCHOOLS

Teacher of the Year Program
University of Dayton
\$2,500.00

ITEM XXI

I recommend that the Board of Education enter into the following **CONTRACTS AND AGREEMENTS**, and further, that the officers of the Board be authorized to sign same.

**Board of Education, Dayton City School District
Dayton, Montgomery County, Ohio
April 21, 2009 - Business Meeting**

Auditor of the State - Dayton City School District intends to prepare a (CAFR) for the fiscal year ending June 30, 2009, based upon the reporting model set forth in the GASB Statement No. 34 "Basic Financial Statements - and Management's Discussion and Analysis for State and Local Governments." The school district will be converting cash basis data maintained during the fiscal year to the basis of accounting necessary for the preparation of the statements. LGS services to be provided during this conversion process and will consist of responding to technical questions and providing advice and training. Effective: 04/22/2009-12/31/2009. Code: 001.2590.843.2002.000000.000.00.000 (Qty: 1) (Amt: \$15,000.00) **Purchase Order: 116739**

ITEM XXII

Pursuant to Section 5705.41 of the Ohio Revised Code, I recommend that the Board of Education of the Dayton City School District accept the following "then and now certificate." It is hereby certified that both at the time of the making of this contract or order and at the date of the execution of this certificate the amount required to pay this contract or order has been appropriated for the purpose of this contract or order and is in the treasury or in the process of collection to the credit of the fund, free from any previous encumbrance.

I recommend that the following invoices \$3,000.00 and over be authorized for payment by the Dayton Board of Education.

INVOICE	FUND	VENDOR	DESCRIPTION	AMOUNT
JP Morgan Interest	004.5599.620.7408. 000000.372.82.000	Ferguson Construction	Required payment per "Construction Contract- Retainage Escrow Agreement"	\$17,078.71

APPROVAL OF MINUTES

April 7, 2009 Informational Meeting

XI BOARD MEMBER TRAVEL

NSBA Annual Conference
San Diego, CA
April 1-7, 2009
Ronald C. Lee \$232.65
Sheila Taylor \$207.90
001.2310.439.1311.000000.500.00.000

Respectfully submitted,

Stanley E. Lucas
Treasurer

It was moved by Mr. Lee and seconded by Mr. Lacey to accept the Treasurer's Recommendations.

AYES: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson - 7

**Board of Education, Dayton City School District
Dayton, Montgomery County, Ohio
April 21, 2009 – Business Meeting**

NAYS: None – 0

Motion Carried.

NEW BUSINESS

Mr. Lee attended the National School Board's Annual Conference in San Diego. There was a lot of discussion about the stimulus package and there were several great speakers. The arts, music and sports performance by the children was exceptional. Mr. Lee also attended the ground breaking for the new River's Edge Montessori School.

Ms. Thompson attended the ground breaking for the Boy's School and spent time with 50 Kindergarten students for National Teach Children's Save Day which is sponsored by Key Bank. Ms. Thompson acknowledged the Dayton Chapter of the Links who took and sponsored Wogaman students to Columbus for the Central State fund raiser with Bill Cosby.

Ms. Taylor also attended the National School Board's Annual Conference in San Diego. There were many great speakers.

RESOLUTION TO ADOPT BOARD POLICY
(SECOND READING)

RATIONALE:

Inasmuch as the Board of Education is committed to continued updating of its Policies, Rules and Regulations Manual and the committee, which was appointed, has been working toward that goal, the following are brought at this time for second readings in compliance with Board File.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Dayton City School District, Montgomery County, Ohio, hereby accepts and adopts the following policies that have been codified for inclusion in the Handbook of Policies, Rules and Regulations:

File:	GBR GBR-R	FAMILY AND MEDICAL LEAVE FAMILY AND MEDICAL LEAVE REGULATION <i>Revised to be in compliance with state and/or federal regulations.</i>
	GCPA GCPA-2-R	REDUCTION IN PROFESSIONAL STAFF WORKFORCE REDUCTION IN PROFESSIONAL STAFF WORKFORCE – REGULATION <i>Revised to be in compliance with state and/or federal regulations.</i>
	JO	STUDENT RECORDS <i>Revised to be in compliance with state and/or federal regulations</i>
	JO-E	STUDENT RECORDS - EXHIBIT <i>Added to manual as sample "Denial of Permission" form</i>

See attachments for detailed copies of these regulations

**Board of Education, Dayton City School District
Dayton, Montgomery County, Ohio
April 21, 2009 - Business Meeting**

It was moved by Mr. Lee and seconded by Ms. Isaacs to accept the adoption of these policies.

AYES: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson – 7

NAYS: None - 0

Motion Carried.

NEW BUSINESS CONTINUED

Mr. Lacey made brief remarks about the Governor's Budget Model.

Ms. Isaacs attended the Charity Early Adam's spring tea and hat show which was held at Sinclair Community College. There was an article in the Dayton paper about Dayton Early College Academy and Dayton Technical High School which is two of the top performing high schools in the Dayton area and we should be very proud. Next week is Administrative professional week.

Ms. Nerny congratulated teachers and central office staff for the oat and de-commissioning buildings. Loos School is planning a farewell.

Mr. Mims indicated that Administrative responsibilities have increased over the years and we appreciate all that you do. He thanked the Superintendent and Mayor Rhine McIn for participating in the 42nd Annual Jack & Jill event. The Bill Cosby concert was great. He attended the retired teacher's luncheon and will be meeting with Martin Bayless regarding free football camps.

Mr. Keith and several students attended the African American Cultural Technological and Scientific Olympics and are making their way to the Nationals in New York. He enjoyed the Bill Cosby concert.

Dr. Stanic had several announcements:

- April 31 – May 3, 2009 Stivers Visual Arts Festival
- All City Concert May 2, 2009 at Stivers School for the Arts
- Space Day at Challenger Center May 2, 2009
- 4 Gates Scholars this year
- Dayton Technological Digital High School Open House
- Farewell for Reverend Banes at Macedonia Church
- He attended a reception at the Governor's Mansion
- He attended the Stiver's Jazz concert

ADJOURNMENT

There being no further business, it was moved by Ms. Thompson and seconded by Mr. Lacey to adjourn.

AYES: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson – 7

NAYS: None – 0

Motion Carried. Meeting adjourned at 7:40 p.m.

ATTEST:

Stanley E. Lucas, Treasurer / Chief Financial Officer

Jeffrey J. Mims, Jr., President

FAMILY AND MEDICAL LEAVE

The Board provides leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA). Eligible employees are entitled to up to 12 work weeks (or 26 work weeks to care for a covered service member) of unpaid family and medical leave in any 12-month period. The Board continues to pay the District's share of the employee's health benefits during the leave. In addition, the District restores the employee to the same or a similar position after the termination of the leave in accordance with Board policy.

In complying with the FMLA, the District adheres to the requirements of applicable State and Federal law.

Additional information is contained in the regulations which follow this policy.

[Adoption date:]

LEGAL REFS.: Family and Medical Leave Act of 1993; 29 USC 2611 2601 et seq.; 29 CFR Part 825
ORC 124.38 (for city school districts only)
3313.20;
3319.08; 3319.09; 3319.13; 3319.131; 3319.14; 3319.141

CROSS REFS.: GCBD, Professional Staff Leaves and Absences
GDBD, Support Staff Leaves and Absences

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreement

NOTE: THIS IS A REQUIRED POLICY

FAMILY AND MEDICAL LEAVE

An employee who has worked for the District for at least 12 months is eligible for 12 work weeks of FMLA leave during a 12-month period provided the employee worked at least 1,250 hours in the 12 months preceding the beginning of the leave. An employee may be eligible for 26 work weeks of FMLA leave during a 12-month period to care for a covered service member with a serious injury or illness.

Types of Leave

An eligible employee may take FMLA leave for the following purposes:

1. *birth and first-year care of a child;* birth and care for a newborn child;
2. *adoption or foster placement of a child;* care for, or spend additional time with, an adopted child or foster child;
3. *serious illness of an employee's spouse, parent or child or* care for a spouse, child, parent or, in limited circumstances, next of kin with a serious health condition (if person cared for is a "covered service member," then leave allowed is 26 weeks);
4. recovery from a serious health condition that keeps the employee from performing the essential functions of his/her job or
5. response to a "qualifying exigency" that arises because a spouse, child or parent is on active duty or has been called to active duty as a member of the National Guard or Reserves in support of a contingency operation.

An employee may elect, or the Board may require an employee, to use accrued paid vacation, personal or sick leave for purposes of a family leave. An employer cannot compel an employee to use accrued medical/sick leave in any situation for which the leave could not normally be used.

Spouses Employed by the District

If a husband and wife eligible for leave are employed by the District, their combined amount of leave for birth, adoption, foster care placement and parental illness may be limited to 12 weeks. An employee may not take FMLA leave to care for a parent-in-law.

If a husband and wife eligible for leave are employed by the District, their combined amount of leave to care for a covered service member is limited to 26 weeks.

Intermittent and Reduced Leave

Intermittent leave is leave taken in separate blocks of time due to a single illness or injury.

Reduced leave is a leave schedule that reduces the employee's usual number of hours per work week or hours per workday.

Intermittent or reduced leave is available only for the employee's own serious health condition or to care for a seriously ill spouse, child or parent. Such leave may not be used for the birth or adoption/placement of a child.

The employee who wishes to use intermittent or reduced leave must have the prior approval of the Board/designee. Although the Board/designee and employee may agree to an intermittent or reduced leave plan, the employee who uses family leave is not automatically entitled to use such leave on an intermittent or reduced leave schedule.

The Board may provide such leave for medical purposes, but the Superintendent may transfer the employee to a position which is equivalent, but more suitable for intermittent periods of leave. The employee must furnish the Board with the expected dates of the planned medical treatment and the duration of the treatment. The Superintendent must authorize such leave in writing.

Benefits

The Board maintains the employee's health coverage under the group health insurance plan during the period of FMLA leave. The employee should make arrangements with the Treasurer to pay the employee's share of health insurance (e.g., family coverage) prior to the beginning of the FMLA leave.

The employee will not lose any other employment benefit accrued prior to the date on which leave began but is not entitled to accrue seniority or employment benefits during the leave period. Employment benefits could include group life insurance, sick leave, annual leave, educational benefits and pensions.

Notice

When the FMLA leave is foreseeable, the employee must notify the Superintendent of his/her request for leave at least 30 days prior to the date when the leave is to begin. If the leave is not foreseeable, the employee must give notice as early as is practical. When the employee requests medical leave, the employee must make reasonable attempts to schedule treatment so as not to disrupt the District's operations.

The Board may deny the leave if the employee does not meet the notice requirements.

Certification

The Board may require the employee to provide certification from a health care provider containing specific information required under the law if he/she requests a medical leave. If there is a question concerning the validity of such certification, a second and, if necessary, a third opinion can be required, both at the expense of the District.

Upon the employee's return to work, the Board requires that the employee present a fitness statement from the employee's health care provider certifying that the employee is able to return to work.

Restoration

When the employee returns from the leave, the Board restores the employee to the same or an equivalent position with equivalent benefits, pay, terms and conditions of employment in accordance with Board policy.

Under certain circumstances, the Board may deny restoration to a key employee. The Board complies with the notice requirements of the FMLA in denying restoration. A key employee is one who is among the highest paid 10 percent of the employees and whose absence would cause the District to experience a substantial and grievous economic injury.

Instructional Employees

Special leave rules apply to instructional employees. Instructional employees are those employees whose principal function is to teach and instruct students in a small group, or in an individual setting. This term includes teachers, athletic coaches, driving instructors and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists or curriculum specialists. It also does not include cafeteria workers, maintenance workers or bus drivers.

Limitations apply to instructional employees who take intermittent or reduced leave. If the leave requested is:

1. to care for a family member or for the employee's own serious health condition;
2. foreseeable based on planned medical treatment and
3. the employee would be on leave for more than 20 percent of the total number of working days over the period the leave would extend.

The Board then may require the employee to choose either to:

1. take the leave for a period or periods of a particular duration, not greater than the planned treatment or
2. transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the employee's regular position.

Limitations also apply to instructional employees who take leave near the end of a semester. When an instructional employee begins leave more than five weeks before the end of a semester the Board may require the employee to continue taking leave until the end of the semester if the:

1. leave will last at least three weeks and
2. employee would return to work during the three-week period before the end of the semester.

When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the five-week period before the end of the semester, the Board may require the employee to continue taking leave until the end of the semester if the:

1. leave will last more than two weeks and
2. employee would return to work during the two-week period before the end of the semester.

When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the three-week period before the end of a semester and the leave lasts more than five working days, the Board may require the employee to continue taking leave until the end of the semester.

Failure to Return

The Board is entitled to recover health care premiums paid during the leave if the employee fails to return from leave. Recovery cannot occur if the employee fails to return because of the continuation, recurrence or onset of a serious health condition or due to circumstances beyond the control of the employee.

(Approval date:)

NOTE: THIS IS A REQUIRED REGULATION

REDUCTION IN PROFESSIONAL STAFF WORK FORCE

(select the following paragraphs for city, exempted village, local or joint vocational districts)

The Board may reduce the number of teachers upon the return to duty of regular teachers after leaves of absence, suspension of schools, territorial changes affecting the District or decreased enrollment of students in the District or for financial reasons.

The Board may reduce the number of administrators upon the return to duty of administrators after leaves of absence, suspension of schools, territorial changes affecting the District, decreased enrollment of students in the District or, for financial reasons or for other reasons unrelated to the performance of the individual administrator.

(select the following paragraphs for educational service centers)

The Board may reduce the number of teachers upon the return to duty of regular teachers after leaves of absence, suspension of schools, territorial changes affecting the District, financial reasons or reduction in the total number of students the Board is required to provide with service or reduction in the total level of service the Board is required to provide under all interdistrict contracts as a result of the termination or nonrenewal of one or more of these contracts.

The Board may reduce the number of administrators upon the return to duty of administrators after leaves of absence, suspension of schools, territorial changes affecting the District, financial reasons, for other reasons unrelated to the performance of the individual administrator or reduction in the total number of students the Board is required to provide with service or reduction in the total level of service the Board is required to provide under all interdistrict contracts as a result of the termination or nonrenewal of one or more of these contracts.

[Adoption date:]

LEGAL REFS.: ORC 3319.02; 3319.081; 3319.09(A); 3319.17; 3319.171; 3319.172

CONTRACT REF.: Teachers' Negotiated Agreement

NOTE: *Although the RIF procedures for teachers are typically stated in negotiated agreements, State law gives boards of education the authority to RIF teachers for financial reasons, unless specifically prohibited by negotiated agreements ratified prior to September 29, 2005. After this date, State law supercedes the RIF provisions in the negotiated agreements.*

THIS IS A REQUIRED POLICY (for administrators for financial reasons)

REDUCTION IN PROFESSIONAL STAFF WORK FORCE
(Administrators Both Professional and Support)

When the Board determines that it is necessary to reduce the number of administrative staff positions, the following procedures shall apply.

1. To the extent possible, the number of administrators affected by a reduction in force will be minimized by not employing replacements or who retire, resign or whose contracts are not renewed for reasons other than reduction in force.
2. Reductions needed beyond those resulting from attrition are made by suspending or nonrenewing contracts. Those contracts to be suspended are chosen as follows.
 - A. All administrators are placed on a seniority list. Seniority is defined as the length of continuous service in the District. Seniority is not interrupted by authorized leaves of absence.
 - B. Reductions shall be made with preference being given first to administrators with seniority.
 - C. If two or more administrators have the same length of service, seniority will be determined by:
 - 1) the date of the Board meeting at which the administrator was hired;
 - 2) next, by the date on which the administrator signed his/her initial contract in the District (in the event two or more staff members were hired on the same date) and
 - 3) then, the date on which the administrator submitted the first completed job application within the two-year period preceding the effective date of the administrator's first contract with the Board.

If a tie remains after steps 1, 2 and 3, the Superintendent decides which contract is suspended.

3. The names of administrators whose contracts are suspended in a reduction-in-force action are placed on a recall list for up to 12 months from the date of the reduction. Administrators on the recall list have the following rights.
 - A. No new administrator will be employed by the Board while there are administrators on the recall list who are certificated/licensed to fill the vacancy.

- B. Administrators on the recall list are recalled in order of seniority for vacancies in areas for which they are certificated/licensed.
- C. If a vacancy occurs, the Board will send an announcement via certified mail to the first known address of all administrators on the recall list who are qualified according to these provisions. It is the administrator's responsibility to keep the Board informed of his/her current address. All administrators are required to respond in writing to the District office within seven calendar days. The most senior of those responding is offered the vacant position. Any administrator who fails to accept the position within seven calendar days forfeits all recall rights.
- D. An administrator on the recall list, upon acceptance of the notification to resume active employment status, returns to active employment status with the same seniority, accumulation of sick leave and salary schedule placement as he/she held at the time of layoff. An administrator on the recall list who is unemployed and does not otherwise have group insurance coverage available may continue to participate for up to 18 months in those benefits which are provided to administrators in active employment, provided that the administrator pays 102% for such benefits.

(Approval date:)

REDUCTION IN PROFESSIONAL STAFF WORK FORCE
(Administrators Both Professional and Support)

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1. To the extent possible, the number of administrators affected by a reduction in force will be minimized by not employing replacements or who retire, resign or whose contracts are not renewed for reasons other than reduction in force.
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- B. Administrators on the recall list are recalled in order of seniority for vacancies in areas for which they are certificated/licensed.
- C. If a vacancy occurs, the Board will send an announcement via certified mail to the first known address of all administrators on the recall list who are qualified according to these provisions. It is the administrator's responsibility to keep the Board informed of his/her current address. All administrators are required to respond in writing to the District office within seven calendar days. The most senior of those responding is offered the vacant position. Any administrator who fails to accept the position within seven calendar days forfeits all recall rights.
- D. An administrator on the recall list, upon acceptance of the notification to resume active employment status, returns to active employment status with the same seniority, accumulation of sick leave and salary schedule placement as he/she held at the time of layoff. An administrator on the recall list who is unemployed and does not otherwise have group insurance coverage available may continue to participate for up to 18 months in those benefits which are provided to administrators in active employment, provided that the administrator pays 102% for such benefits.

(Approval date:)

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the District to maintain extensive educational and personal information. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parent(s) or the student in compliance with law, and yet be guarded as confidential information.

The Superintendent is responsible for the proper administration of student records in keeping with State law and federal requirements and the procedures for the collection of necessary information about individual students throughout the District.

Upon request, all records and files included in the student's cumulative file are available to parent(s) or the student (if he/she is over 18 years of age). This request must be in writing and is granted within seven calendar days. No records are to be removed from the school. A principal, teacher or other qualified school personnel must be present to explain any of the tests or other material.

All rights and protections given to parents under law and this policy transfer to the student when he/she reaches age 18 or enrolls in a postsecondary school. The student then becomes an "eligible student."

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records.

The District provides notice to parents and eligible students annually, in accordance with the procedures set forth under administrative regulations, of the rights held by parents and eligible students under law and this policy. It is the intent of the District to limit the disclosure of information contained in the student's education records except:

1. by prior written consent;
2. as directory information and
3. under other limited circumstances, as enumerated under administrative regulations.

The following rights exist:

1. the right to inspect and review the student's education records;
2. the right, in accordance with administrative regulations, to seek to correct parts of the student's education records, including the right to a hearing if the school authority decides not to alter the records according to the parent(s)' or eligible student's request;
3. the right of any person to file a complaint with the U.S. Department of Education if the District violates relevant Federal law, specifically the Family Educational Rights and Privacy Act (FERPA) and
4. the right to acquire information concerning the procedure which the parent(s) or eligible student should follow to obtain copies of this policy, the locations from which these copies may be obtained, as well as any fees to be charged for such copies. *(See administrative regulations.)

The District proposes to designate the following personally identifiable information contained in a student's education records as "directory information."

1. student's name
2. student's address
3. telephone number(s)
4. student's date and place of birth
5. participation in officially recognized activities and sports
6. student's achievement awards or honors
7. student's weight and height, if a member of an athletic team
8. major field of study
9. dates of attendance ("from and to" dates of enrollment)
10. date of graduation

The above information is disclosed without prior written consent, except when the request is for a profit-making plan or activity. Student records that consist of "personally identifiable information" generally are exempt from disclosure. Student directory information, however, is released unless the parents have affirmatively withdrawn their consent to release in writing.

Administrative regulations set forth a procedure for annual notification to parents and eligible students of the District's definition of directory information. Parents or eligible students then have two weeks in which to advise the District, in accordance with such regulations, of any or all items which they refuse to permit as directory information about that student.

To carry out their responsibilities, school officials have access to student education records for legitimate educational purposes. The District uses the criteria set forth under administrative regulations to determine who are "school officials" and what constitutes "legitimate educational interests."

Other than requests as described above, school officials release information from, or permit access to, a student's education records only with the prior written consent of a parent or eligible student, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure in certain limited circumstances outlined under administrative regulations (e.g., transfers to another school district or to comply with judicial order or subpoena or where warranted, in a health or safety emergency, etc.).

The District maintains, in accordance with administrative regulations, an accurate record of all requests to disclose information from, or to permit access to, a student's education records and of information disclosed and access permitted.

[Adoption date:]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Family Educational Rights and Privacy Act; 20 USC Section 1232g
Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.
ORC 149.41; 149.43
1347.01 et seq.
3317.031
3319.32; 3319.321; 3319.33
3321.12; 3321.13
3331.13

CROSS REFS.: AFI, Evaluation of Educational Resources
IL, Testing Programs
KBA, Public's Right to Know
KKA, Recruiters in the Schools

NOTE: Regulations concerning the content of information retained during the student's term of schooling, after the student exits the school and in response to request for transcripts, should be developed in compliance with law and strictly adhered to.

The definitions of "directory information" differ in State and Federal law. This policy reflects the more restrictive definition found in State law. The District may further limit the information contained in that definition.

THIS IS A REQUIRED POLICY

STUDENT RECORDS

1. Each student's official school records include the following.

A. Records to be retained permanently

- 1) name and address of parent(s)
- 2) verification of date and place of birth
- 3) dates and record of attendance
- 4) course enrollment and grades
- 5) test data
- 6) date of graduation or withdrawal

B. Records of verifiable information to be retained during the student's school career

- 1) medical/health data
- 2) individual psychological evaluation (gathered with written consent of parent(s))
- 3) individual intelligence tests, tests for learning disabilities, etc. (counselor-administered)
- 4) other verifiable information to be used in educational decision making

2. Maintaining student records

- A. Transcripts of the scholastic record contain only factual information. The District confines its recordkeeping to tasks with clearly defined educational ends.
- B. Items listed under 1-A are retained for 100 years. Those listed under 1-B are retained during the student's enrollment and destroyed after graduation unless the school code imposes other restrictions.
- C. Teacher and staff comments on student records are confined to matters related to student performance. Value judgments are excluded from the record.
- D. Student records are considered as current educational and/or therapeutic tools and are available for use as such.

The following definitions of terms pertain to this statement of policy.

Student — any person who attends or has attended a program of instruction sponsored by the Board.

Eligible student — a student or former student who has reached age 18 or is attending a postsecondary school.

Parent — either natural parent of a student, unless his/her rights under the FERPA have been removed by a court order, a guardian or an individual acting as a parent or guardian in the absence of the student's parent(s).

Dates of attendance — means the period of time during which a student attends or attended an educational agency or institution. Examples of dates of attendance include an academic year, a spring semester or a first quarter. The term does not include specific daily records of a student's attendance at an educational agency or institution.

Education records — any records (in handwriting, print, tapes, film or other medium) maintained by the District, an employee of the District or an agent of the District which are related to a student, except:

1. a personal record kept by a school staff member that meets the following tests:
 - A. it is in the sole possession of the individual who made it;
 - B. it is used only as a personal memory aid and
 - C. information contained in it has never been revealed or made available to any other person, except the maker's temporary substitute;
2. an employment record which is used only in relation to a student's employment by the District (employment for this purpose does not include activities for which a student receives a grade or credit in a course);
3. alumni records which relate to the student after he/she no longer attends classes provided by the District and the records do not relate to the person as a student and
4. peer-graded papers before they are collected and recorded by a teacher.

Personally Identifiable Information — any data or information which makes the subject of a record known, including the student's name, the student's or student's family's address, the name of the student's parent or other family members, a personal identifier such as a student's Social Security number or a biometric record, other indirect identifiers, such as the student's date of birth, place of birth or mother's maiden name, other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates. *a student number, a list of personal characteristics or any other information which would make the student's identity known.*

ANNUAL NOTIFICATION

Within the first three weeks of each school year, the District publishes in a notice to parents and eligible students their rights under State and Federal law and under this policy. The District also sends home with each student a bulletin listing these rights; the bulletin is included with a packet of material provided to parents or eligible students when the students enroll during the school year.

The notice includes the:

1. right of a parent(s) or eligible student to inspect and review the student's education records;
2. intent of the District to limit the disclosure of information contained in a student's education records, except: (1) by the prior written consent of the student's parent(s) or the eligible student, (2) as directory information or (3) under certain limited circumstances, as permitted by law;
3. right of a student's parent(s) or an eligible student to seek to correct parts of the student's education records which he/she believes to be inaccurate, misleading or in violation of student rights; this right includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent(s)' or eligible student's request;
4. the right of any person to file a complaint with the Department of Education if the District violates the FERPA and
5. the procedure that a student's parent(s) or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

An administrator arranges to provide translations of this notice to non-English-speaking parents in their native language.

LOCATIONS OF EDUCATION RECORDS (Required)

(Hypothetical)

TYPES	LOCATION	CUSTODIAN
<u>Cumulative School Records</u>	Principals' Offices	Principals
<u>Cumulative School Records</u> (Former Students)	Central Office	Chief Archivist
<u>Health Records</u>	Principals' Offices	Principals
<u>Speech Therapy Records</u> <u>Psychological Records</u>	Principals' Offices	Principals
<u>School Transportation</u> <u>Records</u>	School Bus Garage	Director of Pupil Transportation
<u>Special Test Records</u>	Principals' Offices	Principals
<u>Occasional Records</u> (Student education records not identified above; such as those in Superintendent's office, in the school attorney's office, or in the personal possession of teachers)	Principals' Offices	Principals

PROCEDURE TO INSPECT EDUCATION RECORDS

Parents or eligible students may inspect and review education records to which they are entitled to have access upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. (See the schedule of fees for copies.)

Since a student's records may be maintained in several locations, the school principal may offer to collect copies of records or the records themselves from locations other than a student's school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school principals accommodate their wishes.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records which he/she wishes to inspect.

The principal (or other custodian) contacts the parent(s) of the student or the eligible student to discuss how access is best arranged (copies, at the exact location or records brought to a single site).

The principal (or other custodian) makes the needed arrangements as promptly as possible and notifies the parent(s) or eligible student of the time and place where the records may be inspected. This procedure must be completed within 45 days or earlier after the receipt of the request for access.

If for any valid reason such as working hours, distance between record location sites or health, a parent(s) or eligible student cannot personally inspect and review a student's education records, the District arranges for the parent(s) or eligible student to obtain copies of the records. (See information below regarding fees for copies of records.)

When records contain information about students other than a parent(s)' child or the eligible student, the parent(s) or eligible student may not inspect and review the records of the other students.

FEES FOR COPIES OF RECORDS

The District does not deny parents or eligible students any rights to copies of records because of the following published fees. When the fee represents an unusual hardship, it may be waived, in part or entirely, by the records custodian. The District reserves the right to make a charge for copies, such as transcripts, which it forwards to potential employers or to colleges and universities for employment or admissions purposes. The District may deny copies of records (except for those required by law) if the student has an unpaid financial obligation to the District.

Federal law requires the District to provide copies of records for the following reasons:

1. when the refusal to provide copies effectively denies access to a parent(s) or eligible student;
2. at the request of the parent(s) or eligible student when the District has provided the records to third parties by the prior consent of the parent(s) or eligible student or

3. at the request of the parent(s) or eligible student when the District has forwarded the records to another district in which the student seeks or intends to enroll.

The fee for copies provided under Federal law may not include the costs for search and retrieval. This fee is __ per page (actual copying cost less hardship factor).

The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience is __ per page (actual search, retrieval copying cost and postage, if any).

DIRECTORY INFORMATION

The District proposes to designate the following personally identifiable information contained in a student's education record as "directory information"; it discloses that information without prior written consent, except that directory information is not released for a profit-making plan or activity. Such information includes:

1. student's name
2. student's address
3. telephone number(s)
4. student's date and place of birth
5. participation in officially recognized activities and sports
6. student's achievement awards or honors
7. student's weight and height, if a member of an athletic team
8. major field of study
9. dates of attendance ("from and to" dates of enrollment)
10. date of graduation

Within the first three weeks of each school year, the District publishes the above list, or a revised list, of the items of directory information which it proposes to designate as directory information. For students enrolling after the notice is published, the list is given to the student's parent(s) or to the eligible student at the time and place of enrollment.

After the parents or eligible students have been notified, they have two weeks in which to advise the District in writing (a letter to the Superintendent's office) of any or all of the items which they refuse to permit the District to designate as directory information about that student.

At the end of the two-week period, each student's records are appropriately marked by the record custodians to indicate the items which the District designates as directory information about that student. This designation remains in effect until it is modified by the written direction of the student's parent(s) or the eligible student.

USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials have access to student education records for legitimate educational purposes. The District uses the following criteria to determine who are school officials. An official is a person:

1. duly elected to the Board;
2. certificated by the state and appointed by the Board to an administrative or supervisory position;
3. certificated by the state and under contract to the Board as an instructor;
4. employed by the Board as a temporary substitute for administrative, supervisory or teaching personnel for the period of his/her performance as a substitute;
5. employed by, or under contract to, the Board to perform a special task such as a secretary, a Treasurer, Board attorney or auditor for the period of his/her performance as an employee or contractor or
6. a contractor, consultant, volunteer or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that the outside party:
 - A. performs an institutional service or function for which the District would otherwise use employees;
 - B. is under the direct control of the District with respect to the use and maintenance of education records and
 - C. abides by the legal requirements governing the use and redisclosure of personally identifiable information from education records.

School officials who meet the criteria listed above have access to a student's records if they have a legitimate educational interest in those records. A "legitimate educational interest" is the person's need to know in order to perform:

1. an administrative task required in the school employee's position description approved by the Board;
2. a supervisory or instructional task directly related to the student's education or
3. a service or benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid.

NOTE: The District must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. A District that does not use physical or technological access controls to records must ensure that its administrative policy for controlling access to education records is effective and that it remains in compliance with the legitimate educational interest requirement.

The District releases information from or permits access to a student's education records only with a parent's or an eligible student's prior written consent, except that the school Superintendent or a person designated in writing by the Superintendent may permit disclosure under the following conditions:

1. when students seek or intend to enroll in another school district or a postsecondary school. The District makes reasonable attempts to notify the parent or eligible student at their last known address unless the disclosure is initiated by the parent or eligible student or unless the District's annual notification includes notice that the District forwards education records to other education entities that request records in connection with a student's transfer or enrollment. Upon request, the District provides copies of the records and an opportunity for a hearing. (upon the condition that the student's parents be notified of the transfer, receive a copy of the record and have an opportunity for a hearing to challenge the content of the record);
2. when certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. when parties who provide, or may provide, financial aid, *to students* for which a student has applied or received, need the information to:
 - A. establish the student's eligibility for the aid;
 - B. determine the amount of financial aid;

- C. establish the conditions for the receipt of the financial aid or
- D. enforce the agreement between the provider and the receiver of financial aid;
- 4. if a State law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials;
- 5. when the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid or improve instruction;
- 6. when accrediting organizations need those records to carry out their accrediting functions;
- 7. when parents of eligible students claim the student as a dependent;
- 8. when it is necessary to comply with a judicial order or lawfully issued subpoena; the District makes a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure under this provision;
- 9. if the disclosure is an item of directory information and the student's parent(s) or the eligible student has not refused to allow the District to designate that item as directory information for that student;
- 10. the disclosure is in connection with a health and safety emergency and
- 11. the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the educational agency or institution under 42 U.S.C. 14071 and applicable federal guidelines.

The District permits any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

- 1. *the official deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;*
- 2. *the information is necessary and needed because of the emergency;*

3. *the persons to whom the information is to be disclosed are qualified and in positions to deal with the emergency or*
4. *time is an important and limiting factor in dealing with the emergency.*

The District discloses personally identifiable information from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

When deciding whether to release personally identifiable information in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

The District records the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

1. the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and
2. parties to whom the District disclosed the information.

The District is required to permit the Ohio Department of Education to have access to personally identifiable information about a student if the Ohio Department of Education needs the information to:

1. notify the District or school attended in the District of threats or descriptions of harm included in the student's response to an achievement test question;
2. verify the accuracy of the student's achievement test score or
3. determine whether the student satisfies the alternative conditions for a high school diploma.

District officials may release information from a student's education records if the student's parent(s) or the eligible student gives his/her prior written consent for the disclosure. The written consent must include at least:

1. a specification of the records to be released;
2. the reasons for the disclosure;
3. the person or the organization or the class of persons or organizations to whom the disclosure is to be made;
4. the parent(s) or student's signature and
5. the date of the consent and, if appropriate, a date when the consent is to be terminated.

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records. The student's parent(s) or the eligible student may obtain a copy of any records disclosed under this provision.

The District does not release information contained in a student's education records, except directory information, to any third parties, except its own officials, unless those parties agree that the information is not redisclosed, without the parent(s)' or eligible student's prior written consent.

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The District maintains an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits, with some exceptions listed below. This record is kept with, but is not a part of, each student's cumulative school records. It is available only to the record custodian, the eligible student, the parent(s) of the student or to federal, state or local officials for the purpose of auditing or enforcing federally supported educational programs.

The record includes:

1. the name of the person who or agency which made the request;
2. the interest which the person or agency has in the information;
3. the date on which the person or agency made the request;

4. whether the request was granted and, if it was, the date access was permitted or the disclosure was made and
5. in the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and the parties to whom the agency or institution disclosed the information.

The District maintains this record as long as it maintains the student's education record.

The records do not include requests for access or information relative to access which has been granted to parent(s) of the student or to an eligible student, requests for access or access granted to officials of the District who have a legitimate educational interest in the student; requests for, or disclosures of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent(s) or eligible student or if the disclosure is authorized by such prior consent or for requests for, or disclosures of, directory information designated for that student.

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

Parents of students or eligible students have a right to seek to change any part of the student's records which they believe is inaccurate, misleading or in violation of student rights.

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" is used to describe a record that is inaccurate, misleading or in violation of student rights. The term "correct" is used to describe a record that is accurate, not misleading and not in violation of student rights. Also, in this section, the term "requester" is used to describe the parent(s) of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct the education records for a requester, the District may make a decision to comply with the request for change at several levels in the procedure.

First-level decision. When a parent of a student or an eligible student finds an item in the student's education records which he/she believes is inaccurate, misleading or in violation of student rights, he/she should immediately ask the record custodian to correct it. If the records are incorrect because of an obvious error and it is a simple matter to make the record change at this level, the records custodian makes the correction. If the records are changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the records to the requester's satisfaction, or the records do not appear to be obviously incorrect, he/she:

1. provides the requester a copy of the questioned records at no cost;
2. asks the requester to initiate a written request for the change and
3. follows the procedure for a second-level decision.

Second-level decision. The written requests to correct a student's education records through the procedure at this level should specify the correction which the requester wishes the District to make. It should at least identify the item the requester believes is incorrect and state whether he/she believes the item:

1. is inaccurate and why;
2. is misleading and why and/or
3. violates student rights and why.

The request is dated and signed by the requester.

Within two weeks after the records custodian receives a written request, he/she:

1. studies the request;
2. discusses it with other school officials; (the person who made the record or those who may have a professional concern about the District's response to the request)
3. makes a decision to comply or decline to comply with the request and
4. completes the appropriate steps to notify the requester or moves the request to the next level for a decision.

If, as a result of this review and discussion, the records custodian decides the records should be corrected, he/she effects the change and notifies the requester in writing that he/she has made the change. Each such notice includes an invitation for the requester to inspect and review the student's education records to make certain that the records are in order and the correction is satisfactory.

If the custodian decides the records are correct, he/she makes a written summary of any discussions with other officials and of his/her findings in the matter. He/She transmits this summary and a copy of the written request to the Superintendent.

Third-level decision. The Superintendent reviews the material provided by the records custodian and, if necessary, discusses the matter with other officials such as the school attorney or the Board (in executive session). He/She then makes a decision concerning the request and completes the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the Superintendent notifies the requester in writing of the reasons for the delay and indicates a date on which the decision will be made.

If the Superintendent decides the records are incorrect and should be changed, he/she advises the record custodian to make the changes. The record custodian advises the requester of the change as he/she would if the change had been made at the second level.

If the Superintendent decides the records are correct, he/she prepares a letter to the requester which includes:

1. the District's decision that the records are correct and the basis for the decision;
2. a notice to the requester that he/she has a right to ask for a hearing to present evidence that the records are incorrect and that the District grants such a hearing;
3. advice that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense and
4. instructions for the requester to contact the Superintendent or his/her designee to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The District is not bound by the requester's positions on these items but may, as far as feasible, arrange the hearing as the requester wishes.)

Fourth-level decision. After the requester has submitted (orally or in writing) his/her wishes concerning the hearing officer, the time and place for the hearing, the Superintendent, within a week, notifies the requester when and where the District will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer provides the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records are incorrect as shown in the requester's written request for a change in the records (second level).

Within one week after the hearing, the hearing officer submits to the Superintendent a written summary of the evidence submitted at the hearing. Together with the summary, the hearing officer submits his/her recommendation, based solely on the evidence presented at the hearing, that the records should be changed or remain unchanged.

The Superintendent prepares the District's decision within two weeks of the hearing. That decision is based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. The District's decision is based solely on the evidence presented at the hearing. The Superintendent may overrule the hearing officer if he/she believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the District's decision, the Superintendent takes one of the following actions.

1. If the decision is that the District changes the records, the Superintendent instructs the records custodian to correct the records. The records custodian corrects the records and notifies the requester as in the context of the second-level decision.
2. If the decision is that the District does not change the records, the Superintendent prepares a written notice to the requester which includes:
 - A. the District's decision that the records are correct and will not be changed;
 - B. a copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision and
 - C. advice to the requester that he/she may place in the student's education records an explanatory statement which states the reasons why he/she disagrees with the District's decision and/or the reasons he/she believes the records are incorrect.

Final administrative step in the procedure. When the District receives an explanatory statement from a requester after a hearing, it maintains that statement as part of the student's education records as long as it maintains the questioned part of the records. The statement is attached to the questioned part of the records and whenever the questioned part of the records is disclosed, the explanatory statement is also disclosed.

(Approval date:)

Denial of Permission to Release Directory Information Without Prior Written Consent

Dear Parent:

Certain directory information may be released to media, colleges, civic or school-related organizations and state or governmental agencies as well as published in programs for the athletic, music and theater presentations of this District.

Directory information includes the following kinds of information:

1. student's name
2. student's address
3. telephone number(s)
4. student's date and place of birth
5. participation in officially recognized activities and sports
6. student's achievement awards or honors
7. student's weight and height, if a member of an athletic team
8. major field of study
9. dates of attendance ("from and to" dates of enrollment)
10. date of graduation

Please circle the specific categories of information, if any, listed above that you do not wish to be released without your specific prior written permission.

_____ The release of all directory information is denied.

This form must be completed and returned to the principal within 10 days after publication of the notice on "Directory Information" if the release of specific directory information is denied.

Name of Student

School

Grade

Parent's/Guardian's Signature

Date

