

**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

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Jeffrey J. Mims Jr.  
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Nancy Nerny  
Vice President

Kurt T. Stanic  
Interim Superintendent of  
Schools

Lori Ward  
Deputy to the Superintendent

Stanley E. Lucas  
Treasurer / Chief Financial  
Officer

Student Senate Representative:

**March 3, 2009**

**Informational Meeting**

**Page 89**

**These Minutes approved**

*3/24/09*

**, Dayton, Ohio**

*Published 4/2/09*



**Board of Education, Dayton City School District  
Dayton, Montgomery County, Ohio  
March 3, 2009 – Informational Meeting**

The Board of Education of the Dayton City School District convened its regularly scheduled Informational Meeting on Tuesday, March 3, 2009 at 6:05 p.m. in the Board Room, 115 S. Ludlow Street, Dayton, Montgomery County, Ohio, with President Mims in the Chair.

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**ROLL CALL**

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

MEMBERS ABSENT: None – 0

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**PLEDGE**

Pledge of allegiance to the flag.

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**SPECIAL PRESENTATION**

Major Odell Graves addressed the board and the Black Knights JROTC Drill Team performed.

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**SPECIAL PRESENTATION**

Holli Gover of the Franklin Montessori School addressed the board. Several Franklin Montessori students made brief remarks regarding changing the name to the River's Edge Montessori School, choosing the American eagle as the school's mascot and choosing blue and white as the school's colors. A future resolution will be presented at a board meeting and acted on.

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**MONTHLY CONSTRUCTION UPDATE**

A representative from Shook Touchstone addressed the board.

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**SUPERINTENDENT'S RECOMMENDATIONS**

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

**GENERAL FUNDS**

**ITEM I**

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**

Temporary Rehire of Administrative Retiree - Associate Director, Logistical Support, at the rate of \$35.01 hourly, NTE 80 hours biweekly,  
Eff. 03/04/2009-06/03/2009, 001.2690.141.6041.000000.578.00.110  
Williams, Charles V.

**Board of Education, Dayton City School District  
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**TEACHER****Change of Contract**

From Teacher to High School Assistant Principal, Ponitz Center, at the rate of \$70,380 annually,  
Eff. 03/16/2009-06/30/2010, 001.2421.111.3122.000000.407.00.104  
Pope, Jacquelyn

**Supplemental Contract**

Boys' basketball coach at World of Wonder at the rate of \$1,781.64 annually,  
Eff. 11/18/2008-03/01/2009, 001.4510.111.5510.000000.183.00.802  
Steinke, Corey L.

Girls' basketball coach at World of Wonder at the rate of \$1,781.64 annually,  
Eff. 11/18/2008-03/01/2009, 001.4510.111.5510.000000.183.00.802  
Steinke, Corey L.

**Item Pulled by Superintendent****ITEM II**

~~Membership in the Urban Special Education Leadership Collaborative for the period of 12/01/08 through 11/30/09  
for one member and one associate.~~

**ITEM III**

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.

**CONTRACT/AGREEMENT APPROVED ON 3-16-2000 BOARD AGENDA**

(1) 115772

Vendor: Bassco Inc.

Fund: 001.2930.423.6005.000000.500.00.000 (Qty: 1) (Amt: \$26,200.00)

(Information Technology)

Description: Renewal of annual Software Maintenance for the Ohio State Feature Code (OSFC) module of CIMS financial applications; contract approved 3-16-2000 DBOE

Amount: \$26,200.00

**CONTRACT/AGREEMENT APPROVED ON 08/19/2008 BOARD AGENDA**

(2) 115960

Vendor: Reiter Dairy Of Springfield

Fund: 006.3120.560.6902.000000.000.00.000 (Qty: 1) (Amt: \$305,000.00)

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(Nutrition Services)

Description: To provide milk & dairy products for the district.

Amount: \$305,000.00

**NON/GENERAL FUNDS**

**ITEM IV**

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.

**RESERVE TEACHER**

Title I Extended Day program at World of Wonder at the rate of \$14.85 hourly, NTE 40 hours,

Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205

Patrick, Anissa

**TEACHER**

**Supplemental Contract**

Title I Extended Day program at Belle Haven at the rate of \$25.22 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

Craft, Melissa

Title I Extended Day program at Belle Haven at the rate of \$26.31 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

Ernst, Amy

Title I Extended Day program at Belle Haven at the rate of \$42.49 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

Fay, Jean

Title I Extended Day program at Belle Haven at the rate of \$37.86 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

Hickey, Laura

Title I Extended Day program at Belle Haven at the rate of \$42.49 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

Higgins, Jeneda

Title I Extended Day program at Belle Haven at the rate of \$36.31 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

Jeter, Linda

Title I Extended Day program at Belle Haven at the rate of \$31.61 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

Johnson, Deneicka

Title I Extended Day program at Belle Haven at the rate of \$38.25 hourly, NTE 25 hours,

Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205

March, Gwendolyn

**Board of Education, Dayton City School District  
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Title I Extended Day program at Belle Haven at the rate of \$29.15 hourly, NTE 25 hours,  
Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205  
Miller, Kylee

Title I Extended Day program at Belle Haven at the rate of \$23.40 hourly, NTE 25 hours,  
Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205  
Wenig, Jessica

Title I Extended Day program at Belle Haven at the rate of \$40.82 hourly, NTE 25 hours,  
Eff. 03/30/2009-04/03/2009, 572.1910.113.9769.000000.500.00.205  
Wills, Hazel

Title I Extended Day program at Dayton Boys' Preparatory Academy at the rate of \$43.40 hourly, NTE 32  
hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Powell, Gregory

Title I Extended Day program at Dayton Boys' Preparatory Academy at the rate of \$31.61 hourly, NTE 32  
hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Reed, Tahnee L.

Title I Extended Day program at Dayton Boys' Preparatory Academy at the rate of \$35.41 hourly, NTE 32  
hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Reid, April

Title I Extended Day program at Fairview at the rate of \$42.49 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Bowers, Sandra

Title I Extended Day program at Fairview at the rate of \$32.46 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Gray, Amy

Title I Extended Day program at Fairview at the rate of \$43.40 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Grimes, Terrence

Title I Extended Day program at Fairview at the rate of \$42.49 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Hahn, Sarah

Title I Extended Day program at Fairview at the rate of \$38.65 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Kramer, Margaret

Title I Extended Day program at Fairview at the rate of \$42.49 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Kretzer, Tina

Title I Extended Day program at Fairview at the rate of \$38.25 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Lester, Constance

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Title I Extended Day program at Fairview at the rate of \$31.61 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Miller, Gwendolyn

Title I Extended Day program at Fairview at the rate of \$43.40 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Stewart, Phyllis

Title I Extended Day program at Fairview at the rate of \$31.61 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.205  
Stock, Becky

Title I Extended Day program at Westwood at the rate of \$26.71 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Back, Lauren

Title I Extended Day program at Westwood at the rate of \$42.49 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Brown, Susan

Title I Extended Day program at Westwood at the rate of \$27.57 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Cooley, Sara

Title I Extended Day program at Westwood at the rate of \$38.25 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Grabeman, Jann

Title I Extended Day program at Westwood at the rate of \$28.83 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Hart, Ramona

Title I Extended Day program at Westwood at the rate of \$43.40 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Jones, Judith

Title I Extended Day program at Westwood at the rate of \$29.52 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Kingston, Kenneth

Title I Extended Day program at Westwood at the rate of \$43.40 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Rollins, Robin

Title I Extended Day program at Westwood at the rate of \$43.19 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Stang, Michael

Title I Extended Day program at Westwood at the rate of \$42.49 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Wiseman, Christine

Title I Extended Day program at World of Wonder at the rate of \$35.41 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Andrews, Amy

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Berro, Julie  
Clark, Mary

Title I Extended Day program at World of Wonder at the rate of \$30.34 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Craven, Tara

Title I Extended Day program at World of Wonder at the rate of \$42.49 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Johnigan, Sanjii

Title I Extended Day program at World of Wonder at the rate of \$35.04 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Johnson, Taundra

Title I Extended Day program at World of Wonder at the rate of \$42.49 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Kennedy, Mark  
Koth, Cindy

Title I Extended Day program at World of Wonder at the rate of \$36.59 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
McCalister, Teresa

Title I Extended Day program at World of Wonder at the rate of \$32.51 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Morrow, LaDawn

Title I Extended Day program at World of Wonder at the rate of \$32.86 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Ragland, Tamra

Title I Extended Day program at World of Wonder at the rate of \$31.61 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Rohr, Gary

Title I Extended Day program at World of Wonder at the rate of \$38.25 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Taylor, Jamesetta

Title I Extended Day program at World of Wonder at the rate of \$35.41 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Tipple, Kathryn

Title I Extended Day program at World of Wonder at the rate of \$36.40 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Turner, Tracy

Title I Extended Day program at World of Wonder at the rate of \$31.05 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Ward, Cassandra

Title I Extended Day program at World of Wonder at the rate of \$36.31 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205



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Williams, JoHelen

Title I Extended Day program at World of Wonder at the rate of \$25.22 hourly, NTE 40 hours,  
Eff. 02/18/2009-04/25/2009, 572.1910.113.9769.000000.500.00.205  
Wilson, Pauline

**ITEM V**

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.

**PARAPROFESSIONAL**

**Supplemental Contract**

Title I Extended Day program at Belle Haven at the rate of \$13.89 hourly, NTE 25 hours,  
Eff. 03/30/2009-04/30/2009, 572..191.113.9769.000000.500.00.505  
Pauley, Cheryl

Title I Extended Day program at Dayton Boys' Preparatory Academy at the rate of \$15.81 hourly, NTE 32 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.205  
Ballard, Gwen

Title I Extended Day program at Fairview at the rate of \$13.89 hourly, NTE 36 hours,  
Eff. 02/17/2009-04/30/2009, 572.1910.113.9769.000000.500.00.505  
Ellis, Wendy

Title I Extended Day program at Fairview at the rate of \$15.81 hourly, NTE 28 hours,  
Eff. 02/24/2009-04/16/2009, 572.1910.113.9769.000000.500.00.505  
Walters, Janet

**ITEM VI**

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

Anzalone, Ann, 116 Hilltop Ave, Dayton, OH 45419  
NTE: \$4,500.00  
To provide a series of training activities on Brain Research and the impact on student learning.  
**Purchase Order: 11150338**  
Eff.: 03/04/2009-06/30/2009.  
Code: 572.2190.412.9769.000000.000.00.000 (Qty: 1) (Amt: \$4,500.00)

Diebold, Thomas, 9995 Marietta Rd Se, Bremen, OH 43107  
NTE: \$2,560.00  
To provide staff development for Loos Elementary School on March 25 & 27, 2009. The staff will be trained on the Stevenson Language Skills Program.  
**Purchase Order: 11150420**  
Eff.: 03/25/2009-03/27/2009.  
Code: 572.2213.412.9769.000000.000.00.000 (Qty: 1) (Amt: \$2,560.00)

Novosad, Michael, 8281 Station House Rd, Dayton, OH 45458  
NTE: \$2,000.00

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To provide OGT preparation in Science & Math. No cost to the General Fund. NTE \$2,000.00

**Purchase Order: 11150306**

Eff.: 01/05/2009-06/05/2009.

Code: 524.2970.412.9689.000000.000.00.000 (Qty: 1) (Amt: \$2,000.00)

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

NTE: \$2,700.00

To support Westwood PreK-8 efforts in providing highly effective academic instruction to students.

**Purchase Order: 11150365**

Eff.: 03/18/2009-03/25/2009.

Code: 572.2213.412.9769.000000.000.00.000 (Qty: 1) (Amt: \$2,700.00)

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

NTE: \$6,300.00

To support Rosa Parks PreK-8 efforts in providing instruction to at risk students.

**Purchase Order: 11150364**

Eff.: 03/03/2009-03/24/2009.

Code: 572.2213.412.9769.000000.000.00.000 (Qty: 1) (Amt: \$6,300.00)

#### ITEM VII

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.

Samaritan Behavioral Health, Inc. - Provide up to 16 hrs. per week of onsite mental health counseling services at Ruskin. The services will be provided and maintained by licensed counselors and social workers. Effective 02/16/2009-02/16/2009.

#### ITEM VIII

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) 115961

Vendor: Combined Health District

Fund: 006.3120.849.6902.000000.000.00.000 (Qty: 1) (Amt: \$7,500.00)

(Nutrition Services)

Description: A Food Service Operation License is required by law for all buildings preparing and serving food.

Amount: \$7,500.00

#### **OSFC FUNDS**

#### ITEM IX

I recommend approval of the following resolution for Temporary Right of Entry:

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Rationale

WHEREAS Dayton Public Schools desires a Right of Entry to certain real estate known as Forest Park Plaza "Property" located at 4400 North Main Street in Harrison Township, Montgomery County, State of Ohio; and

WHEREAS Paran Management Company, LTD. is the management company for said Property; and

NOW THEREFORE, the Board of Education of the Dayton City School District hereby enters into the "Temporary Right of Entry" for the Property located at 4400 North Main Street in Harrison Township, Montgomery County, Dayton, Ohio.

**ITEM X**

I recommend approval of the following resolution to purchase real estate:

Rationale

Whereas the Dayton Public School District/Dayton Board of Education offers to purchase real estate from the State of Ohio for the construction of the new Belmont High School; and

Whereas the Dayton Public School District/Dayton Board of Education offers to purchase from the State of Ohio the real property located at 2611 Wayne Avenue, Dayton, Ohio; and

Whereas the offer is subject to the terms and conditions of said Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Dayton City School District hereby approves the Real Estate Purchase Agreement between the State of Ohio and the Board of Education of the Dayton City School District for the property located at 2611 Wayne Avenue, Dayton, Ohio 45420;

BE IT FURTHER RESOLVED that the President and Treasurer of the Dayton Board of Education are authorized to execute said purchase agreement; and

BE IT FURTHER RESOLVED that the President and Treasurer and/or his designee are authorized to execute any and all documents required to complete the transfer of the aforementioned property.

**ITEM XI**

I recommend approval of the Amended Agreement for Professional Design Services for the Wright Brothers 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 Building Replacement Program, which will result in the construction of new school facilities within the school district, as described in the Master Plan accepted by the Board.

At this time, the Dayton Board of Education and Treasurer, having publicly announced the Request for Qualifications (RFQ # \_\_\_ for Architectural, Engineering and Design Services and having received Statements of Qualifications, the Chief Construction Officer and staff, having evaluated firm and negotiated fees in accordance with Section 153.65-71 of the Ohio Revised Code, hereby submit award recommendations. Funding will be 39% Local Share and 61% State Share with the exception of Locally Funded Initiatives (LFI).

WHEREAS, the Locally Funded Initiatives are included in this contract but must be funded in whole by the school district Board, including related design and other professional services.

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NOW, THEREFORE, BE IT RESOLVED that the Dayton Board of Education award the amended contracts for Architectural, Engineering and Design Services for Wright Brothers PK-8 School to Rogero+Buckman Architects, in association with SFA Architects, Inc.

**ITEM XII**

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

**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.

(1) 115943

Vendor: Dalmatian Fire, Inc.

Fund: 010.5500.620.7573.000000.181.83.005 Local Share (Qty: 1) (Amt: \$67,709.51)

Fund: 004.5500.620.7572.000000.181.83.005 LFI Funding (Qty: 1) (Amt: \$16,085.88)

Fund: 010.5500.620.7574.000000.181.83.005 State Share (Qty: 1) (Amt: \$105,904.61)

(Construction Office)

Description: Fire Suppression contract for the new Dayton Boys Academy School.

Amount: \$189,700.00

**CONTRACT/AGREEMENT APPROVED ON 4/5/05 BOARD AGENDA**

(2) 95303

Vendor: Dayton School Design

Fund: 004.5500.418.7411.000000.407.82.035 LFI Funding (Qty: 1) (Amt: \$635,417.12)

Fund: 010.5500.418.7410.000000.407.82.035 State Share (Qty: 1) (Amt: \$803,741.33)

Fund: 010.5500.418.7409.000000.407.82.035 Local Share (Qty: 1) (Amt: \$513,867.41)

(Construction Office)

Description: P.O. revised to provide professional services as required for the design, bidding and construction administration of a Cosmetology Lab to be added to the David H. Ponitz CTC.

Amount: \$1,953,025.86

(3) 115945

Vendor: G M Mechanical, Inc.

Fund: 010.5500.620.7573.000000.181.83.006 Local Share (Qty: 1) (Amt: \$528,255.39)

Fund: 010.5500.620.7574.000000.181.83.006 State Share (Qty: 1) (Amt: \$826,245.61)

Fund: 004.5500.620.7572.000000.181.83.006 LFI Funding (Qty: 1) (Amt: \$125,499.00)

(Construction Office)

Description: HVAC contract for the new Dayton Boys Academy School.

Amount: \$1,480,000.00

(4) 115942

Vendor: G M Mechanical, Inc.

Fund: 010.5500.620.7574.000000.181.83.004 State Share (Qty: 1) (Amt: \$350,596.18)

Fund: 004.5500.620.7572.000000.181.83.004 LFI Funding (Qty: 1) (Amt: \$53,252.16)

Fund: 010.5500.620.7573.000000.181.83.004 Local Share (Qty: 1) (Amt: \$224,151.66)

(Construction Office)

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Description: Plumbing contract for the new Dayton Boys Academy School.  
Amount: \$628,000.00

(5) 115946

Vendor: Mutual Electric Company

Fund: 004.5500.620.7572.000000.181.83.007 LFI Funding (Qty: 1) (Amt: \$93,708.67)

Fund: 010.5500.620.7573.000000.181.83.007 Local Share (Qty: 1) (Amt: \$394,442.62)

Fund: 010.5500.620.7574.000000.181.83.007 State Share (Qty: 1) (Amt: \$616,948.71)

(Construction Office)

Description: Electrical contract for the new Dayton Boys Academy School.

Amount: \$1,105,100.00

(6) 115933

Vendor: Peterson Construction Company

Fund: 010.5500.620.7574.000000.181.83.002 State Share (Qty: 1) (Amt: \$3,524,831.24)

Fund: 010.5500.620.7573.000000.181.83.002 Local Share (Qty: 1) (Amt: \$2,253,580.63)

Fund: 004.5500.620.7572.000000.181.83.002 LFI Funding (Qty: 1) (Amt: \$535,388.13)

(Construction Office)

Description: General Trades contract for the new Dayton Boys Academy School.

Amount: \$6,313,800.00

Respectfully submitted,

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

It was moved by Ms. Isaacs 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.**

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**TREASURER’S RECOMMENDATIONS**

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

**GENERAL & NON GENERAL FUNDS**

**ITEM XIII**

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.

**Board of Education, Dayton City School District  
Dayton, Montgomery County, Ohio  
March 3, 2009 – Informational Meeting**

INVOICE	FUND	VENDOR	DESCRIPTION	AMOUNT
9123 9224 9569 9679	001.2150.410.4511.000000.500.00.000	Cumberland Therapy	Speech therapy services for DPS special need students 2008/2009 school year	\$81,339.25
83216	010.5500.620.7553.000000.105.82.002	Premier Paper Systems	Provide toilet room accessories at EJ Brown School	\$1450.19
	010.5500.620.7554.000000.105.82.002			\$2268.24
	004.5500.620.7555.000000.105.82.002			\$577.20
82822	010.5500.620.7556.000000.135.82.002	Premier Paper Systems	Provide toilet room accessories at Horace Mann School	\$1402.77
	010.5500.620.7557.000000.135.82.002			\$2194.08
	004.5500.620.7558.000000.135.82.002			\$364.85
82401	010.5500.620.7523.000000.153.82.002	Premier Paper Systems	Provide toilet room accessories at Westwood PK-8 School	\$1412.68
	010.5500.620.7524.000000.153.82.002			\$2209.58
	004.5500.620.7570.000000.153.82.002			\$403.20

**APPROVAL OF MINUTES**

February 3, 2009	Informational Meeting
February 12, 2009	Special Meeting
February 14, 2009	Special – Board Retreat
February 17, 2009	Business Meeting

Respectfully submitted,

Stanley E. Lucas  
Treasurer

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

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

NAYS: None – 0

**Motion Carried.**

**NEW BUSINESS**

Dr. Stanic asked Mr. Faircloth to introduce the new Assistant Principal of the David H. Ponitz Career Center, Jacquelyn Pope who addressed the board.

Mr. Lacey enjoyed select a school day.

**Board of Education, Dayton City School District  
Dayton, Montgomery County, Ohio  
March 3, 2009 – Informational Meeting**

Ms. Isaacs said she was proud of our Franklin Montessori students who gave a phenomenal presentation.

Mr. Lee walked through the Ponitz Career Academy. He attended the top 10 African American male luncheon fund raiser and acted as a judge for the science fair. He also participated in the Boys Academy read across America.

Ms. Thompson thanked D & K Architect of the Dunbar High School who donated \$10,000 to Dayton Public Schools. She also attended the 10 top African American luncheon fund raiser and participated at the Meadowdale and Valerie read across America program.

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**BOARD RESOLUTION TO ADOPT BOARD POLICY**  
**(FIRST READING)**

**RATIONALE:**

Inasmuch as the Board of Education is committed to the 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 first readings in compliance with Board File BFC Policy Adoption.

**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:

<b>FILE</b>	<b>TITLE</b>	<b>CHANGE</b>
GBR	Family and Medical Leave	<i>Revised to be in compliance with state and/or federal regulations.</i>
GBR-R	Family and Medical Leave - <i>Regulation</i>	
GCPA	Reduction in Professional Staff Workforce	<i>Revised to be in compliance with state and/or federal regulations.</i>
GCPA-2-R	Reduction in Professional Staff Workforce - <i>Regulation</i>	
JO	Student Records	<i>Revised to be in compliance with state and/or federal regulations.</i>
JO-E	Student Records – <i>Exhibit</i>	<i>Added to manual as sample "Denial of Permission" form</i>

These policies are being read for the first time. As such, a Motion or Second is not required. The policies will be available in the Superintendent's Office for review and comment prior to their Second Reading and Adoption by the Board of Education. Furthermore, the policies will be reviewed by the Superintendent's Office, the Board's Office, and the Legal Department of the Dayton Public Schools prior to the Second Readings.

*See attachments for detailed copies of these regulations*

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**NEW BUSINESS CONTINUED**

Ms. Taylor enjoyed the Franklin Montessori School presentation.

Ms. Nerny said that David Kirk's donation was kind. She walked through the Ponitz Career Center, judged the science fair and participated in Eastmont's read across America program.

**Board of Education, Dayton City School District  
Dayton, Montgomery County, Ohio  
March 3, 2009 – Informational Meeting**

Dr. Stanic enjoyed the data driven instruction at Meadowdale and Kemp School. Dr. Stanic thanked Dea for coordinating the read across America program.

Mr. Mims thanked coordinators for the read across America program success. He participated in the read across America program at Wogaman & Bellehaven. The community breakfast at Macedonia church was attended by Dr. Stanic, Ms. Thompson and Mr. Mims.

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**EXECUTIVE SESSION.**

“Pursuant to Section 121.22 (G) <2> of the Ohio Revised Code, I move that this board go into Executive Session. This meeting is being held to hold a conference with an attorney involving pending or imminent court action, and to consider a disciplinary personnel issue. We will adjourn from the Board’s Executive Conference Room.

Is there a second? Janice, may we have a roll call please?”

**Motion Carried to go into Executive Session**

“Let the record show that the Board of Education of the Dayton City School District has just completed an Executive Session during which it held a conference with an attorney involving pending or imminent court action, and to consider a disciplinary personnel issue.”

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

NAYS: None – 0

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**ADJOURNMENT**

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

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

NAYS: None – 0

**Motion Carried. Meeting adjourned at 8:15 p.m.**

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**ATTEST:**

\_\_\_\_\_  
Stanley E. Lucas, Treasurer / Chief Financial Officer

\_\_\_\_\_  
Jeffrey J. Mims, Jr., President



**RESOLUTION TO ADOPT BOARD POLICY  
(FIRST READING)**

**RATIONALE:**

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GBR-R	Family and Medical Leave - <i>Regulation</i>	
GCPA	Reduction in Professional Staff Workforce	<i>Revised to be in compliance with state and/or federal regulations.</i>
GCPA-2-R	Reduction in Professional Staff Workforce - <i>Regulation</i>	
JO	Student Records	<i>Revised to be in compliance with state and/or federal regulations.</i>
JO-E	Student Records – <i>Exhibit</i>	

These policies are being read for the first time. As such, a Motion or Second is not required. The policies will be available in the Superintendent's Office for review and comment prior to their Second Reading and Adoption by the Board of Education. Furthermore, the policies will be reviewed by the Superintendent's Office, the Board's Office, and the Legal Department of the Dayton Public Schools prior to the Second Readings.



## 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 an 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)

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.
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(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

