

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

MEMBERS

Yvonne Isaacs

Joseph Lacey

Ronald Lee

Nancy Nerny

Rev. Dr. Robert Walker

Sheila Taylor

Stacy Thompson

OFFICERS

Ronald Lee
President

Joseph Lacey
Vice President

Lori Ward
Superintendent of
Schools

Stanley E. Lucas
Treasurer / Chief Financial
Officer

Student Senate Representative:

October 23, 2012

Special Meeting

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These Minutes approved January 8, 2013, Dayton, Ohio

These Minutes published January 14, 2013, Dayton, Ohio

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
October 23, 2012 – Board Work Session**

The Board of Education of the Dayton City School District convened its regularly scheduled Board Work Session on Tuesday, October 23, 2012 at 6:25 p.m. in the Board Room, 115 S. Ludlow Street, Dayton, Montgomery County, Ohio, with President Lee in the Chair.

ROLL CALL

MEMBERS ANSWERING ROLL CALL: Isaacs, Lacey, Lee, Nerny, Taylor, Thompson, Walker – 7
{SSR – Thomas} – ABSENT

MEMBERS ABSENT: None – 0

PLEDGE

Pledge of allegiance to the flag.

EXECUTIVE SESSION

“Pursuant to Section 121.22 (G) <2> of the Ohio Revised Code, I move that this board go into Executive Session in the conference room for consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of an employee. We will adjourn from the conference room.

Is there a second? May we have a roll call please?” Mr. Lacey seconded.

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 discussed the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of an employee.”

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

NAYS: None – 0

RESOLUTION TO ADOPT BOARD POLICY
(FIRST AND SECOND READING)

RATIONALE:

In as much 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 is brought at this time for simultaneous first and 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 which have been codified for inclusion in the Handbook of Policies, Rules and Regulations:

**File: AFC-1
(also GCN-1)**

**EVALUATION OF PROFESSIONAL STAFF (TEACHERS)
Revised to be in accordance with current legislation.**

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
October 23, 2012 – Board Work Session**

DISCUSSION TO OFFER HIWOT ABRAHA – INTERIM TREASURER

It was moved by Mr. Lacey and seconded by Ms. Nerny to offer Hiwot Abraha the Interim Treasurer job with a commensurate compensation increase.

The motion was amended by Ms. Thompson and seconded by Ms. Isaacs to include other items.

Ms. Thompson and Ms. Isaacs agreed by consensus to revise the amendment.

AYES: Isaacs, Lacey, Lee, Nerny, Thompson, Walker – 6

NAYS: Taylor - 1

Motion Carried.

ADJOURNMENT

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

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

NAYS: None – 0

Motion Carried. Meeting adjourned at 8:31 p.m.

ATTEST:

Joseph Lacey / Treasurer Pro Tempore

Ronald Lee, President

**RESOLUTION TO ADOPT BOARD POLICY
(FIRST AND SECOND READINGS)**

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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 which have been codified for inclusion in the Handbook of Policies, Rules and Regulations:

FILE	TITLE	CHANGE	MOTION/ SECOND	YES/NO/ ABSTAIN
AFC-1 (also GCN-1)	Evaluation of Professional Staff (Teachers)	<i>Revised to be in accordance with current legislation.</i>		
GCN-1 (also AFC-1)	Evaluation of Professional Staff (Teachers)	<i>Revised to be in accordance with current legislation.</i>		

*Walker/Priddy
7/18
(Voted along w/ 2nd Edggs)*

EVALUATION OF PROFESSIONAL STAFF
(Teachers)

A determination of the efficiency and effectiveness of the teaching staff is a critical factor in the overall operation of the District. The Board evaluates teachers in accordance with State law and the standards-based statewide teacher evaluation framework adopted by the State Board of Education.

The Board directs the Superintendent/designee to implement this policy in accordance with State law. The requirements of this policy prevail over any conflicting provisions of collective bargaining agreements entered into on or after September 24, 2012.

Notwithstanding Ohio Revised Code section 3319.09, this policy applies to any person employed under a teacher license issued under Ohio Revised Code chapter 3319, or under a professional or permanent teacher's certificate issued under former section 3319.222, and who spends at least 50% of the time employed providing content-related student instruction. This teacher evaluation policy does not apply to substitute teachers.

Credentialed evaluators

Evaluations carried out under this policy are conducted by persons holding evaluator credentials established by the Ohio Department of Education. Evaluators must complete State-sponsored evaluation training and pass the online credentialing assessment. The Board adopts a list of approved credentialed evaluators chosen from the Ohio Department of Education's list.

Effectiveness Rating

Teachers are assigned an effectiveness rating of Accomplished, Proficient, Developing or Ineffective. This rating will be determined based on 50% teacher performance and 50% student growth measures. Student growth will be determined through multiple measures.

Annually, the Board submits to the Ohio Department of Education, the number of teachers assigned an effectiveness rating, aggregated by the teacher preparation programs from which, and the years in which, the teachers graduated. The name of, or any personally identifiable information about, any teacher reported in compliance with this provision cannot be required.

Teacher Performance Calculation

Teachers are evaluated via two formal observations and periodic classroom walk-throughs. The 50% teacher performance measure is based on the Ohio Standards for the Teaching Profession.

Teacher performance and student growth measures ratings shall be combined to reach the summative teacher effectiveness rating using the Ohio Teacher Evaluation System (OTES) Model Evaluation Matrix. The Superintendent/designee selects/develops evaluation tools to calculate teacher performance. The Board directs the Superintendent/designee to develop procedures for these evaluation tools.

Student Growth Calculation

For the purpose of this policy, student growth means the change in student achievement for an individual student between two or more points in time. Student growth is evaluated by a combination of: (1) Value-added data; (2) ODE approved assessments and/or (3) Board determined measures. When available, value-added data shall be included in the multiple measures used to evaluate student growth.

Students with 60 or more unexcused absences for the school year will not be included in the calculation of student academic growth. Data from Board-determined multiple measures will be converted to a score of: (1) Above, (2) Expected or (3) Below student growth levels.

Professional Growth and Improvement Plans

Teachers meeting above-expected levels of student growth must develop professional growth plans and choose their credentialed evaluators from the Board-approved evaluator list.

Teachers meeting expected levels of student growth must develop professional growth plans collaboratively with their credentialed evaluators from the Board-approved evaluator list.

Teachers meeting below-expected levels of student growth must develop an improvement plan with their credentialed evaluators. The Superintendent/designee assigns credentialed evaluators to teachers meeting below-expected levels of student growth.

Evaluation Timeline

For the 2012-2013 school year, the timeline set forth in the Collective Bargaining Agreement (CBA) shall apply except in School Improvement Grant (SIG) Buildings. Starting in 2013-2014, Dayton Public Schools will follow the evaluation and timelines set forth below.

District administrators evaluate teachers annually. Annual evaluations include two formal observations at least 30 minutes each and periodic classroom walkthroughs. Teachers, who are on limited or extended limited contracts pursuant to State law and under consideration for nonrenewal, receive at least three formal observations during the evaluation cycle.

All teacher evaluations are completed by May 1. Teachers evaluated under this policy are provided with a written copy of their evaluation results by May 10.

Testing for Ineffective Teachers in Core Subjects

Beginning with the 2015-2016 school year, teachers of core subject areas, as defined by State law, who have received a rating of Ineffective for two of the three most recent school years must register for and take all written examinations of content knowledge selected by the Ohio Department of Education.

Retention and Promotion

The Board uses evaluation results for retention and promotion decisions. The Board adopts procedures for use by district administrators in making retention and promotion decisions based on evaluation results.

Seniority shall not be the basis for making retention decisions, except when choosing between teachers who have comparable evaluations.

Poorly Performing Teachers

The Board uses evaluation results for removing poorly performing teachers. The Board adopts procedures for removing poorly-performing teachers based on evaluation results.

Professional Development

The Board allocates financial resources to support professional development in compliance with State law and the State Board of Education evaluation framework.

Policy Review

The Board has reviewed and approved the procedures and tools developed by the Administration in consultation with teachers to implement this policy for the 2012-2013 school year. On an annual basis, not later than August 1, the Board Policy Committee shall review this policy, as well as any procedures and tools developed to implement this policy.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: October 16, 2012]

LEGAL REFS.: ORC 3319.11; 3319.111; 3319.112; 3319.16; 3319.58
Chapter 4117
OAC 3301-35-05

CROSS REFS.: AF, Commitment to Accomplishment
GBL, Personnel Records
GCB, Professional Staff Contracts and Compensation Plans

CONTRACT REF.: Teachers' Negotiated Agreement

NOTE: *By July 1, 2013, the board of education of each school district, in consultation with teachers employed by the board, must adopt a standards-based teacher evaluation policy that conforms with the ODE framework for evaluation of teachers developed under section 3319.112 of the Revised Code. The requirements of the Ohio Revised Code prevail over any conflicting bargaining agreement entered into on or after September 24, 2012.*

Districts that receive Race to the Top (RttT) funds should follow the teacher evaluation timeline and guidelines set forth in their scopes of work.

Districts not receiving RttT funds whose bargaining agreement was entered into on or after September 24, 2012 must implement this policy by the 2013-2014 school year. Districts who entered into a bargaining agreement prior to September 24, 2012 must implement the evaluation system at the expiration of that bargaining agreement.

Fifty percent of the teacher's evaluation must be based on student growth measures. Student growth must be based on multiple measures, including value added data where it is available. Local boards of education may administer assessments chosen from the ODE assessment list for teachers of subjects where value-added scores are not available, and/or local measures of student growth using state-designed criteria and guidance. The multiple measures designated by the Board for teachers may vary based on subject level and grade taught and should be determined at the district level. The Board determined measures should be consistent for teachers teaching the same subject and/or grade level. The remaining 50% of the evaluation is based on teacher performance measured by the Ohio Standards for the teaching profession.

Evaluations conducted pursuant to these requirements must be carried out by a person who holds a credential established by ODE. The Board adopts a list of approved credentialed evaluators chosen from the Ohio Department of Education's list.

Districts may choose to evaluate teachers receiving effectiveness ratings of Accomplished on their most recent evaluations every two years. If the district chooses to do this, policy language should be included.

Districts may choose to evaluate teachers receiving effectiveness ratings of Accomplished on the most recent evaluations, through one formal observation, and the completion of a Board approved project. If the district chooses to do this policy language should be included.

Boards are required to use teacher evaluation results for promotion and retention decisions and for removing poorly performing teachers. These procedures are required to appear in Board policy, but will be unique to each district. Boards should develop these procedures with district administrators and adopt them into board policy as a regulation, which should be coded as GCN-1-R (also AFC-1-R)

Boards are required to allocate financial resources to support professional development. While ODE's model policy suggests that the allocation should appear in Board policy, neither the law nor the framework requires the addition of such specific language. Boards wishing to do so may include the allocation of financial resources in the regulation language.

THIS IS A REQUIRED POLICY

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

RATIONALE:

Inasmuch as the Board of Education is committed to the continual 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	TITLE	CHANGE	YES/NO/ABSTAIN
DJF	Purchasing Procedures	<i>Revised to be in line with current legislation</i>	
DN	School Properties Disposal	<i>Revised to be in line with current legislation</i>	
EBCD	Emergency Closings	<i>Revised to be in line with current legislation</i>	
IKE	Promotion and Retention of Students	<i>Revised to be in line with current legislation</i>	

*Walker/Tracy
7/18
(voted along w/ 1st + 2nd
simultaneous Reg.)*

SCHOOL PROPERTIES DISPOSAL

The Board believes that the efficient administration of the District requires the disposition of property and goods no longer necessary for the maintenance of the educational program or the operation of the District.

The Board recognizes that most unused property of the District has value and that it may be practical to retain such property for a period of time. Once property is no longer needed for school purposes currently or in the future, it should be slated for disposal at the Superintendent's discretion. State law governs the retention and method of disposal of the Board's property. Therefore, the Board follows the procedures required by the various statutes governing the disposal of real or personal property.

The Board follows the procedures set forth in State law for the disposal of real or personal property at the minimum dollar value set forth in the statute on the date the Board decides to dispose of the property. The Board is first required to sell its real property to start-up community schools operating in the District and college-preparatory boarding schools located within the territory of the District. If the community school or college-preparatory boarding school is not interested in buying the property, the Board can sell its real or personal property at a public auction and follow specific statutory requirements if the property exceeds \$10,000 in value. If this amount is changed by the legislature, the Board and administration's responsibility changes automatically to reflect the new minimum statutory dollar value.

The Board directs the periodic review of all District property and authorizes the disposition by sale, donation, trade or discard of any property not required for school purposes.

The District complies with State law regarding the sale or lease of unused District property to community schools and college-preparatory boarding schools.

Disposal of Property Valued at Less Than the Dollar Value Set Forth in State Law

For the disposal of property, which is not governed by the Ohio Revised Code or administrative regulations, the administration is required to follow these procedures:

1. The Superintendent determines that the value of the property is less than the value set forth in State law. The property is valued pursuant to a reasonable method as determined by the Superintendent.
2. The Board is notified when real or personal property is no longer needed for school purposes and directs that the property be sold.

HB 153 adds new requirements in regards to "unused school facilities." Unused school facilities are facilities, which have been used by the district for school operations since July 1, 1998, but have not been used in that capacity for two years. Districts must offer these facilities to community schools and college-preparatory boarding schools within the district for sale or lease.

If, within 60 days, a community school or college-preparatory boarding school within the district accepts the offer for sale, the district must sell the real property to the community school or college-preparatory boarding school for fair market value. If, within 60 days, more than one community school or college-preparatory boarding school accepts the offer for sale by notifying the district treasurer, the district must hold a public auction for the real property, but it is important to note that the district is not required to accept a bid for less than the appraised fair market value of the property, as determined by a property appraisal that is not more than one year old. Only qualified parties who notified the district treasurer of their intent to purchase the property are eligible to bid at auction.

If, within 60 days, a community school or college-preparatory boarding school accepts the offer to lease the real property, the district must lease to the community school or college-preparatory boarding school for the fair market value of a lease on the real property. Fair market value is determined by a property appraisal that is not more than one year old. If, within 60 days, two or more community schools or college-preparatory boarding schools within the district send a written intention to lease the property to the district treasurer, the district must conduct a lottery to determine to which community school or college-preparatory boarding school - the district will award the lease. Only qualified parties who have notified the treasurer of their intent to lease the property will be eligible for participation in the lottery. It is also important to note that districts that have outstanding leases with entities other than community schools or college-preparatory boarding schools may renew those leases. Nothing in the statute affects current lease agreements between the district and those other entities.

If, within 60 days, no community school or college-preparatory boarding school accepts the offer to lease or buy the property, the district may offer it to any other entity, in accordance with State law. SB 316 extends the list of eligible entities to include nonprofit institutions of higher education that have certificates of authorization under State law and governing authorities of chartered nonpublic schools.

NOTE: State law defines a calamity as:

- 1. a disease epidemic;*
- 2. hazardous weather conditions;*
- 3. inoperability of school buses or other necessary equipment;*
- 4. damage to a school building;*
- 5. other temporary circumstances because of a utility failure that renders a building unfit for use; or*
- 6. law enforcement emergencies.*

House Bill (HB) 36 of 2011 does two things. First, the bill restores the two calamity days lost under HB 1 of 2009 back to the previous five calamity days. Second, the bill permits school districts to make up the five days covered by its contingency plan by lengthening the remaining days in the school year in half-hour increments. The old provision of law permitted school districts to make up days in half-hour increments beyond those covered in their contingency plans.

House Bill (HB) 153 (Budget Bill) of 2011 gives districts the option of allowing students to makeup a maximum of three days via online lessons and/or blizzard bags. Policy language is not required, however, if a District chooses to participate in the program, it may want to consider adding optional policy language as well as regulation language setting forth what is required to be in the district's plan that is submitted to ODE. The actual plan should not be included in the Board policy manual, but regulation language setting forth what must be included in the plan may be useful for informational purposes.

THIS IS A REQUIRED POLICY

Third grade students who receive a limited proficient score on the third grade reading achievement test are provided one of three options:

1. promotion to the fourth grade if the principal and reading teacher agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared for the fourth grade;
2. promotion to the fourth grade and provide "intensive intervention" services or
3. retention in the third grade.

Intervention services are offered to students who are not making satisfactory progress toward the attainment of the statewide academic standards for their grade level.

Any student who has been retained because of results on the third grade English language assessment and who demonstrates during the academic year that he/she now is reading at or above grade level is promoted to the fourth grade pursuant to the district-level mid-year promotion policy.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: October 16, 2012]

LEGAL REFS.: ORC 3301.07; 3301.0710; 3301.0711; 3301.0712; 3301.0715;
3313.608; 3313.609; 3313.6010; 3313.6012, 3314.03
OAC 3301-35-04; 3301-35-06

CROSS REFS.: AFI, Evaluation of Educational Resources
IGBE, Remedial Instruction (Intervention Services)
IGBEA, Reading Skills Assessments and Interventions (Third Grade Reading
Guarantee)
IGCD, Educational Options (Also LEB)

NOTE: This policy also applies to community schools.

THIS IS A REQUIRED POLICY

Motion made by Joseph Lacey that Hiwot Abraha be offered a position as interim treasurer with a commensurate compensation increase. The motion was seconded by Nancy Nerny

The motion was amended by Stacy Thompson and seconded by Yvonne Isaacs to include:
The Board should respect the recommendations of the committee it has chosen for the search process, and a new treasurer search, both internal and external should commence immediately. Interim contract should not include any limitations of time or promises of consideration.

Stacy Thompson and Yvonne Isaacs agreed by consensus to revise the amendment to include:
The board will continue to use the committee selected for the treasurer search process.

Ayes: 6

Nays: 1 (Sheila Taylor)