

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

MEMBERS

Yvonne Isaacs

Joseph Lacey

Ronald Lee

Nancy Nerny

Reverend Dr. Schooler

Sheila Taylor

Stacy Thompson

OFFICERS

Nancy Nerny
President

Ronald Lee
Vice President

Lori Ward
Superintendent of
Schools

Stanley E. Lucas
Treasurer / Chief Financial
Officer

Student Senate Representative:

April 19, 2011

Business Meeting

Page 120

These Minutes approved May 3, 2011, Dayton, Ohio

These Minutes published June 9, 2011, Dayton, Ohio

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

The Board of Education of the Dayton City School District convened its regularly scheduled Business Meeting on Tuesday, April 19, 2011 at 6:00 p.m. in the Board Room, 115 S. Ludlow Street, Dayton, Montgomery County, Ohio, with President Nerny in the Chair.

ROLL CALL

MEMBERS ANSWERING ROLL CALL: Isaacs, Lacey, Lee, Nerny, Schooler, Taylor – 6
{SSR – Cooper} – ABSENT

MEMBERS ABSENT: Thompson – 1

PLEDGE

Pledge of allegiance to the flag.

SPECIAL PRESENTATION – Thurgood Marshall High School Basketball Team

Mr. Witherspoon and Mr. Hoskins addressed the board and presented certificates to several students.

SCHOOL PRESENTATION – Fairview Prek-8 School

Shari Hoskins addressed the board regarding neighborhood school participation with Unified Health Solutions, University of Dayton, CitiWide (Phoenix Project) and Fair River Oaks Council. Site Coordinator, Ms. Moss and other Fairview Prek-8 teachers participated in the presentation.

SPECIAL RECOGNITION – Crayons 2 Classroom

Jill Moberley addressed the board. This organization provided over \$1 million in free supplies to Dayton area teachers for students in need. The Executive Director and President of this organization also addressed the board.

SPECIAL PRESENTATION – 2011 DPS Career Expo “Go Green for \$Green”

Linnæe Clinton and Terri Allen addressed the board.

HEARING OF THE PUBLIC

Alan Donaldson and Kevin Jones addressed the board.

HEARING OF THE BARGAINING UNITS

Marsha Russ addressed the board.

SUPERINTENDENT’S RECOMMENDATIONS

The following recommendations were presented by Lori L. Ward, Superintendent of Schools for consideration by the Board:

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

GENERAL FUNDS**ITEM I**

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

ADMINISTRATION**001.2421.111.3111.000000.155.00.104****Jones, Marcia A.****Retirement****Eff. 6/30/2011****CLERICAL****001.2421.141.3111.000000.109.00.502****Brady, Celena****Retirement****Eff. 6/10/2011****OPERATIONS****001.2700.141.6241.000000.364.00.902****Alexander, Vivia****Retirement****Eff. 4/11/2011****001.2700.141.6241.000000.181.00.902****Chunn, Terry****Retirement****Eff. 8/31/2011****001.2700.142.6241.000000.578.00.902****Kelley, Worthy****Résignation****Eff. 3/21/2011****PARAPROFESSIONAL****001.2214.141.3050.000000.109.00.505****Gilbert, Pamela****Retirement****Eff. 6/30/2011****001.2214.141.3050.000000.117.00.505****Heath, Michael****Résignation****Eff. 3/21/2011****RESERVE TEACHER****001.1100.112.7321.000000.000.00.205****Davis, Thelma****Résignation****Eff. 4/1/2011****TEACHER****001.1130.111.3020.032300.372.00.205****Allen, Phyllis****Retirement****Eff. 6/30/2011****001.1110.111.3020.080000.185.00.205****Bonner, Marsha****Retirement****Eff. 6/10/2011****001.1130.111.3020.130000.367.00.205****Brudzynski, Emmy****Retirement****Eff. 6/30/2011****001.1110.111.3020.000000.117.06.205****Callahan Gregory, Laura****Retirement****Eff. 6/30/2011****001.1110.111.3020.000000.146.00.205****Cathcart, Cynthia****Résignation****Eff. 6/30/2011****001.1110.111.3020.080000.112.00.205****Earley, Anna L.****Résignation****Eff. 6/4/2011**

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

001.1110.111.3020.120000.146.00.205 Felmet, John D.	Retirement	Eff. 6/30/2011
001.1110.111.3020.000000.112.06.205 Fields, Phillip	Retirement	Eff. 6/30/2011
001.1280.111.4590.196095.120.13.206 Fricke, Darlene S.	Retirement	Eff. 6/30/2011
001.1130.111.3020.110000.367.00.205 Gray, Roderick	Retirement	Eff. 6/30/2011
001.1231.111.4503.192060.459.00.206 Hall, Julia L.	Retirement	Eff. 6/30/2011
001.1110.111.3020.000000.182.00.205 Harden, Janet	Retirement	Eff. 6/30/2011
001.1241.111.4503.192060.271.00.206 Harrison-Bryant, Terran	Retirement	Eff. 6/30/2011
001.1310.111.4360.000000.370.00.207 Pasquale, Montanaro J.	Résignation	Eff. 6/30/2011
001.1110.111.3020.000000.140.14.205 Knight, Cynthia M.	Résignation	Eff. 6/30/2011
001.1110.111.3020.000000.135.06.205 Koenig, Thomas	Retirement	Eff. 6/30/2011
001.1110.111.3020.000000.141.02.205 Lager, Deborah	Retirement	Eff. 6/30/2011
001.1110.111.3020.000000.103.05.205 March, Gwendolyn	Retirement	Eff. 6/30/2011
001.1110.111.3020.000000.140.14.205 Piercy, Rebecca	Retirement	Eff. 6/30/2011
001.1110.111.3020.000000.182.00.205 Porter, Bonnie	Retirement	Eff. 6/30/2011
001.1237.111.4503.196230.141.00.206 Saluke, Shirley	Retirement	Eff. 6/30/2011
001.2220.111.3020.000000.112.16.203 Spring, Wava	Retirement	Eff. 6/30/2011
001.1110.111.3020.080000.140.00.205 Stein, Jennifer A.	Résignation	Eff. 6/30/2011
001.1130.111.3020.130000.367.00.205 Veasley, Drucilla	Resignation	Eff. 6/30/2011

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 - Business Meeting**

001.1110.111.3020.120000.185.00.205

White, James

Retirement

Eff. 6/7/2011

TEMPORARY

001.2214.142.3071.000000.000.00.502

Chappel, Mary

Assignment Ended

Eff. 4/20/2011

ITEM II

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

TEACHER

001.1110.111.3020.120000.103.00.250 40%

001.1110.111.3020.120000.109.00.205 60%

Spurlock, Jeffrey A.

Educational

Eff. 4/25/2011 - 5/25/2011

ITEM III

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

TEACHER

Supplemental Contract

BELMONT HIGH SCHOOL

HS Assistant Baseball Coach at the rate of \$1,575.60 annually,

Eff. 3/14/2011 - 6/3/2011, 001.4510.111.5510.000000.363.00.802

Williams, Eugene

HS Assistant Boys Track Coach at the rate of \$1,866.48 annually,

Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.363.00.802

Barnes, Larry

HS Assistant Girls Track Coach at the rate of \$1,696.80 annually,

Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.363.00.802

Fails, Jr., Jackie

HS Head Boys Baseball Coach at the rate of \$4,072.32 annually,

Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.363.00.802

Slightam, Michael

HS Head Boys Track Coach at the rate of \$3,902.64 annually,

Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.363.00.802

Fails, Sr., Jackie

HS Head Girls Softball Coach at the rate of \$3,563.28 annually,

Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.363.00.802

Stephens, Jacob L.

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 - Business Meeting**

HS Head Girls Track Coach at the rate of \$3,393.60 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.363.00.802
Norswothy, Kimberly

CLEVELAND PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.108.00.802
Murphy, George

DAVID H. PONITZ CAREER TECHNOLOGY CENTER

HS Assistant Boys Track Coach at the rate of \$2,036.16 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.370.00.802
Saine, Paul P.

HS Assistant Girls Track Coach at the rate of \$2,036.16 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.370.00.802
Dotson, Joanne

HS Head Boys Baseball Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.370.00.802
Hinshaw, Daniel M.

HS Head Boys Track Coach at the rate of \$3,393.60 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.370.00.802
Armstrong, Gary R.

HS Head Girls Softball Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.370.00.802
Smith, Vivian

HS Head Girls Track Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.370.00.802
Keeton, Charlita

DAYTON BOYS PREPARATORY ACADEMY @ ROOSEVELT COMMONS

Pre K-8 Boys and Girls Track Coach at the rate of \$1,781.64 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.181.00.802
Jackson II, Anthony

DUNBAR HIGH SCHOOL

HS Assistant Girls Track Coach at the rate of \$1,454.00 annually,
Eff. 3/21/2011 - 6/3/2011, 001.4510.111.5510.000000.364.00.802
Jackson, Anthony

HS Girls Track Coach at the rate of \$2,908.80 annually,
Eff. 3/21/2011 - 6/3/2011, 001.4510.111.5510.000000.364.00.802
Henson, America

HS Head Boys Track Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.364.00.802
Booker, Sidney

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 - Business Meeting**

HS Assistant Boys Track Coach at the rate of \$1,745.28 annually,
Eff. 3/21/2011 - 6/3/2011, 001.4510.111.5510.000000.364.00.802
Powell, Alfred

EASTMONT PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$1,866.48 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.111.00.802
Waters, William

EDISON PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.112.00.802
Earley, Anna

E.J. BROWN PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$2,036.16 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.105.00.802
Murphy, Donte

LOUISE TROY PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$1,866.48 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.140.00.802
Mitchell, Ernestine

MEADOWDALE HIGH SCHOOL

HS Assistant Boys Track Coach at the rate of \$2,036.16 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.367.00.802
Taylor, John

HS Assistant Girls Track Coach at the rate of \$1,781.64 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.367.00.802
Moss, Derrick

HS Head Boys Baseball Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.367.00.802
Mahoney, Neil

HS Head Boys Track Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.367.00.802
Beaty, Michael

HS Head Girls Softball Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.367.00.802
Mills, Kristen

HS Head Girls Track Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.367.00.802
Miller, Chad

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 - Business Meeting**

MEADOWDALE PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$1,781.64 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.138.00.802
Bailey, Erric

ROSA PARKS PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.109.00.802
Watkins, Robert

STIVERS SCHOOL FOR THE ARTS

HS Boys Tennis Coach at the rate of \$2,036.16 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.271.00.802
Unger, Michael

HS Head Boys Baseball Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.271.00.802
Coomer, Larry

HS Head Boys Track Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.271.00.802
Clack, Keith

HS Head Girls Softball Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.271.00.802
Raiff, Julie M.

HS Head Girls Track Coach at the rate of \$3,563.28 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.271.00.802
Branham, Herman

MS Athletic Coordinator at the rate of \$848.40 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.271.00.802
Risner, Randall

Pre K-8 Boys & Girls Track Coach at the rate of \$1,781.64 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.271.00.802
Powell, Michael

THURGOOD MARSHALL HIGH SCHOOL

HS Assistant Girls Track Coach at the rate of \$1,890.72 annually,
Eff. 3/21/2011 - 6/3/2011, 001.4510.111.5510.000000.372.00.802
Whitmore, William

HS Baseball Coach at the rate of \$315.20 annually,
Eff. 3/14/2011 - 6/3/2011, 001.4510.111.5510.000000.372.00.802
Spann, Kenneth

HS Head Boys Track Coach at the rate of \$4,072.32 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.372.00.802
Wortham, Raymond N.

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 - Business Meeting**

HS Head Girls Track Coach at the rate of \$3,902.64 annually,
Eff. 3/7/2011 - 6/3/2011, 001.4510.111.5510.000000.372.00.802
Taylor, Jamesetta

VALERIE PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.146.00.802
Cosby, Keith

WESTWOOD PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$1,781.64 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.151.00.802
Lewis, Rolando

WOGAMAN PREK-8 SCHOOL

Pre K-8 Boys & Girls Track Coach at the rate of \$2,375.52 annually,
Eff. 3/14/2011 - 5/28/2011,
Lemon, Theo Dean

WORLD OF WONDER PREK-8 SCHOOL @ RESIDENCE PARK

MS Track Coach at the rate of \$1,866.48 annually,
Eff. 3/14/2011 - 5/28/2011, 001.4510.111.5510.000000.185.00.802
Steinke, Corey

ITEM IV

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.

City of Dayton - Lease Agreement with the Dayton Convention Center for the 2011 Superintendent's Scholars Recognition on May 10, 2011. Eff. 5/10/2011-5/10/2011.

Code: 001.2411.425.1020.000000.500.00.000 (Qty: 1) (Amt: \$1,000.00)

Purchase Order: 125076

ITEM V

I recommend approval of the Ohio Association of Public School Employees (OAPSE), Local 643-Paraprofessionals resolution.

Rationale

The parties have reached tentative agreement on all issues and the OAPSE, Local 643-Paraprofessionals has ratified said tentative agreement.

NOW, THEREFORE, BE IT RESOLVED that the Dayton Board of Education hereby adopts the agreement reached between the representatives of the OAPSE, Local 643-Paraprofessionals and the Dayton Board of Education.

BE IT FURTHER RESOLVED that the Dayton Board of Education approves, upon execution by the respective parties, the agreement between the OAPSE, Local 643-Paraprofessionals and the Dayton Board of Education,

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

effective upon ratification for the duration of one year, and hereby authorizes the Committee, the Board President, and Board Treasurer to execute the same on behalf of the Board of Education.

ITEM VI

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

GENERAL FUNDS

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

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

(1) 124826

Vendor: Challenger Center for Space

Fund: 014.1130.849.3120.000000.266.00.000 (Qty: 1) (Amt: \$10,083.33)

(K-12 Science)

Description: Challenger Learning Center's License renewal fee to continue running mission programs for the 2010-2011 SY.

Amount: \$10,083.33

(2) 124930

Vendor: Fifth Third Bank

Fund: 001.2700.570.6210.000000.578.00.000 (Qty: 1) (Amt: \$5,800.00)

Fund: 034.2700.570.6230.000000.000.00.000 (Qty: 1) (Amt: \$4,200.00)

Description: P-card purchases for parts and supplies.

Amount: \$10,000.00

NON/GENERAL FUNDS

ITEM VII

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

NUTRITION SERVICES

006.3120.141.6902.000000.154.00.904

Day, Grady

Retirement

Eff. 6/1/2011

006.3120.141.6902.000000.000.00.904

Ireland, Pamela

Retirement

Eff. 6/1/2011

006.3120.141.6902.000000.000.00.904

Trigg, Dorothy

Retirement

Eff. 4/18/2011

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 - Business Meeting**

PARAPROFESSIONAL

018.1110.141.1510.000000.185.00.505

Retirement

Eff. 5/31/2011

Young, Geraldine

ITEM VIII

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.

HEAD START**New Hire**

ADMINISTRATIVE BUILDING

Head Start Sub at the rate of \$10.67 hourly, NTE 32.5 hours,

Eff. 3/7/2011 - 6/30/2011, 525.1270.142.9181.000000.500.00.205

McFarland, Shiree

ITEM IX

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

Aslanova, Nargila, 1128 Troy St, Dayton, OH 45404

NTE: \$1,000.00

To provide interpretation for ESL families in the Title I schools during the second semester.

Eff. 3/1/2011-6/7/2011.

Code: 572.2190.412.9761.000000.000.00.000 (Qty: 1) (Amt: \$1,000.00)

Purchase Order: 11157449

Brooks, Louksha, 9366 Captiva Bay Dr, Miamisburg, OH 45342

NTE: \$2,500.00

Consultant to provide 14 Adult Computer Design sessions to the parents at World of Wonder PreK-8 School.

Eff. 4/20/2011-5/31/2011.

Code: 572.2190.412.9761.000000.000.00.000 (Qty: 1) (Amt: \$2,500.00)

Purchase Order: 11157874

Dayton Contemporary Dance Co., 840 Germantown St, Dayton, OH 45402

NTE: \$30,000.00

Contract was approved on 3/16/11. The amount has been corrected from \$20,000 to \$30,000 due to three schools involved.

Eff. 5/1/2011-3/31/2011.

Code: 572.2213.410.9321.000000.000.00.000 (Qty: 1) (Amt: \$30,000.00)

Purchase Order: 11157120

Home Based Arts Inc., 2626 Delaine Ave, Dayton, OH 45419

NTE: \$7,869.00

To provide staff development for core coaches to implement reading comprehension strategies using literature highlighting the Dayton area artists and historical events. Teaching our students about their community that they live in.

Eff. 5/2/2011-6/7/2011.

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

Code: 536.2213.412.9571.000000.000.00.000 (Qty: 1) (Amt: \$7,869.00)

Purchase Order: 11157876

Houghton Mifflin Inc., 222 Berkeley St, Boston, MA 2116

NTE: \$18,094.00

To provide training for 3rd, 4th and 5th grade Math teachers in the 3 Block Framework centered on number and operations of fractions.

Eff. 6/13/2011-6/30/2011.

Code: 572.2213.412.9321.000000.000.00.000 (Qty: 1) (Amt: \$18,094.00)

Purchase Order: 11157807

NCS Education Software & Service., 3075 W Ray Rd Ste 200, Chandler, AZ 85226

NTE: \$42,000.00

To provide Math professional development on 3 Block Lesson Framework with Equations and Expressions for 7th and 8th grade teachers and 3 Block Lesson Framework with Ratios and Proportional Relationships for 6th and 7th grade teachers.

Eff. 6/13/2011-6/30/2011.

Code: 572.2213.412.9321.000000.000.00.000 (Qty: 1) (Amt: \$42,000.00)

Purchase Order: 11157806

North Star Co., LLC (The), 5215 Sue Marie Ln, Houston, TX 77091

NTE: \$11,000.00

To provide Louise Troy PreK-8 staff a professional development focused on workable strategies designed to help students become more responsible learners as well as building positive relationships to promote positive classroom discipline.

Eff. 5/9/2011-5/30/2011.

Code: 572.2213.412.9321.000000.000.00.000 (Qty: 1) (Amt: \$11,000.00)

Purchase Order: 11157847

S'cool Moves, Inc., PO Box 614, Shasta, CA 96087

NTE: \$7,500.00

To observe preschool classrooms giving guidance to the preschool teachers in order to enhance their students learning.

To hold a one day workshop for the Dayton Public Schools' preschool teachers and paraprofessionals.

Eff. 5/11/2011-5/16/2011.

Code: 572.2213.412.9321.000000.000.00.000 (Qty: 1) (Amt: \$7,500.00)

Purchase Order: 11157724

Teaching Our Youth, LLC, 8431 Jack Pine Ct, Ypsilanti, MI 48197

NTE: \$8,811.00

To provide training to Meadowdale PreK-8 School, Rosa Parks PreK-8 School, and Louise Troy PreK-8 School staff in differentiated instruction.

Eff. 5/4/2011-5/30/2011.

Code: 572.2213.412.9321.000000.000.00.000 (Qty: 1) (Amt: \$8,811.00)

Purchase Order: 11157891

Telenet Solutions, Inc., PO Box 40146, Bay Village, OH 44140

NTE: \$2,200.00

To in-service Immaculate Conception School staff on managing technology components to keep network operational for integrating technology into the curriculum.

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

Eff. 5/9/2011-5/23/2011.

Code: 533.3260.412.9321.000000.665.00.000 (Qty: 1) (Amt: \$2,200.00)

Purchase Order: 11157851

ITEM X

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.

Crisis Prevention Institute Inc. - To provide Crisis Prevention Intervention Autism Training for district CPI trainees.

Eff. 6/21/2011-6/23/2011.

Code: 516.2213.412.9321.000000.000.00.000 (Qty: 1) (Amt: \$19,000.00)

Purchase Order: 11157747

Help Me Grow - Create collaboration between Dayton Public Schools, Head Start and Help Me Grow to provide services to young children with disabilities and their families without duplication of effort. The agreement outlines the responsibilities and procedures to assure successful transitions from Help Me Grow (Part C) services into preschool special education programs or other appropriate services; delineates the procedures of the transition process; identifies the responsibilities of each agency and role of the family during the transition process; and promotes partnerships between and among agencies and families.

Eff. 12/1/2010-1/31/2012.

University Of Cincinnati - Student teacher audiologist will utilize the facilities of Dayton Public Schools for clinical learning purposes working under the direction of Dayton Public School certificated staff. Eff. 12/1/2010-6/30/2011.

Western Psychological Services Inc. - To train school psychologists in evaluation methods for students with Autism.

Eff. 4/4/2011-6/30/2011.

Code: 516.2213.412.9321.000000.000.00.000 (Qty: 1) (Amt: \$7,617.09)

Purchase Order: 11157873

ITEM XI

I recommend approval of the resolution requesting a declaration of Urgent Necessity to provide paper goods for secondary schools and catering sites (non-public schools) for the Nutrition Services Department.

Rationale

Paper goods for the secondary schools and catering sites are necessary to prepare and serve breakfast, lunch, and snack meals for students; a declaration of Urgent Necessity is needed because time will not permit the use of the normal bidding process. An RFB for paper goods was advertised and bid opening was conducted on December 23, 2010; however, there were no bids submitted for these products.

NOW, THEREFORE, BE IT RESOLVED that the Dayton Board of Education of the Dayton City School District declare a Urgent Necessity and authorize the use of the price quotations in lieu of the normal bidding process for paper goods for the secondary schools and catering sites for the Nutrition Services Department.

BE IT FURTHER RESOLVED that the Dayton Board of Education of the Dayton City School District awards the contract to XPEDX in the amount not to exceed \$93,004.80 for paper goods for the secondary schools and catering sites for the Nutrition Services Department.

Fund Code: 006.3120.569.6902.000000.000.00.000

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

ITEM XII

I recommend approval of the Business Operations Resolutions.

Rationale

In accordance with the United States Department of Agriculture, Food and Nutrition Service, Procurement Standards 210.19A, Office of Management and Budget, Circular 102A, the Director of Nutrition Services, Dayton Public Schools, has been directed to procure an RFP for a food management company for secondary schools in accordance with prepared specifications.

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and hereby is authorized to advertise for a food management company for secondary schools and said proposals be tabulated and reported to the Board of Education at its earliest meeting after the proposal evaluations.

ITEM XIII

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) 11157824

Vendor: Cincinnati Bell

Fund: 516.1239.641.9321.000000.500.00.000 (Qty: 1) (Amt: \$14,160.00)

(Special Education)

Description: To purchase touch screen monitors for students with limited mobility in order to provide increased access to general curriculum.

Amount: \$14,160.00

(2) 11157850

Vendor: Enabling Devices, Toys For

Fund: 516.1239.640.9321.000000.500.00.000 (Qty: 1) (Amt: \$6,169.90)

(Special Education)

Description: To purchase assistive technology and instructional materials to meet the needs of students per their IEP's.

Amount: \$6,169.90

(3) 11157764

Vendor: Hatch Inc.

Fund: 516.1239.641.9321.000000.500.00.000 (Qty: 1) (Amt: \$115,440.00)

(Special Education)

Description: To purchase assistive technology equipment for special needs students per IEP's.

Amount: \$115,440.00

(4) 125066

Vendor: JPG International

Fund: 007.2190.411.8005.000000.500.00.000 (Qty: 1) (Amt: \$8,000.00)

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

(Treasury)

Description: Ballroom dancing program for students.

Amount: \$8,000.00

(5) 11157827

Vendor: Linqi Systems Inc.

Fund: 516.1239.511.9321.000000.500.00.000 (Qty: 1) (Amt: \$5,206.00)

(Special Education)

Description: To purchase assessment and instructional materials in order to evaluate student's communication needs per their IEP's.

Amount: \$5,206.00

(6) 11157810

Vendor: Pearson Educational Assessment

Fund: 516.1239.511.9321.000000.500.00.000 (Qty: 1) (Amt: \$46,370.50)

(Special Education)

Description: To purchase assessment materials in order to evaluate student communication skills.

Amount: \$46,370.50

CONTRACT/AGREEMENT APPROVED ON 5/5/2010 BOARD AGENDA

(7) 11157771

Vendor: Public Health Dayton Montgomery County

Fund: 401.3260.413.9211.000000.000.00.000 (Qty: 1) (Amt: \$46,500.00)

(Auxiliary Services)

Description: State requirement to maintain student health records.

Amount: \$46,500.00

CONTRACT/AGREEMENT APPROVED ON 5/5/2010 BOARD AGENDA

(8) 11157772

Vendor: Public Health Dayton Montgomery County

Fund: 401.3260.413.9311.000000.000.00.000 (Qty: 1) (Amt: \$7,800.00)

(Auxiliary Services)

Description: State requirement to maintain student health records.

Amount: \$7,800.00

CONTRACT/AGREEMENT APPROVED ON 5/5/2010 BOARD AGENDA

(9) 11157773

Vendor: Public Health Dayton Montgomery County

Fund: 401.3260.413.9241.000000.000.00.000 (Qty: 1) (Amt: \$7,800.00)

(Auxiliary Services)

Description: State requirement to maintain student health records.

Amount: \$7,800.00

CONTRACT/AGREEMENT APPROVED ON 5/5/2010 BOARD AGENDA

(10) 11157774

Vendor: Public Health Dayton Montgomery County

Fund: 401.3260.413.9221.000000.000.00.000 (Qty: 1) (Amt: \$19,000.00)

(Auxiliary Services)

Description: State requirement to maintain student health records.

Amount: \$19,000.00

CONTRACT/AGREEMENT APPROVED ON 5/5/2010 BOARD AGENDA

(11) 11157775

Vendor: Public Health Dayton Montgomery County

Fund: 401.3260.413.9221.000000.000.00.000 (Qty: 1) (Amt: \$19,000.00)

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

(Auxiliary Services)

Description: State requirement to maintain student health records.

Amount: \$19,000.00

(12) 11157760

Vendor: Renaissance Learning Inc.

Fund: 516.1239.641.9321.000000.500.00.000 (Qty: 1) (Amt: \$12,115.00)

(Special Education)

Description: To purchase assistive technology equipment for Special Education students per IEP's.

Amount: \$12,115.00

(13) 11157815

Vendor: Riverside Publishing Co. Inc.

Fund: 516.1239.511.9321.000000.500.00.000 (Qty: 1) (Amt: \$13,160.00)

(Special Education)

Description: To purchase assessment materials in order to complete student evaluation.

Amount: \$13,160.00

(14) 11157816

Vendor: Western Psychological Services Inc.

Fund: 516.1239.511.9321.000000.500.00.000 (Qty: 1) (Amt: \$26,033.00)

(Special Education)

Description: To purchase assessment materials in order to evaluate student educational needs and skill levels.

Amount: \$26,033.00

Respectfully submitted,

Lori L. Ward
Superintendent

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

AYES: Isaacs, Lacey, Lee, Nerny, Schooler, Taylor – 6

NAYS: None – 0

Motion Carried.

TREASURER'S RECOMMENDATIONS

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

GENERAL & NON-GENERAL FUNDS

ITEM XIV

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

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

A. DAYTON PUBLIC SCHOOLS

Various Donations

Shook Touchstone LLC

DPS Career Expo

\$500.00

Anonymous

DPS 2011 Career Expo

\$500.00

FirstDay Federal Credit Union

DPS 2011 Career Expo

\$500.00

CDO Technologies

DPS 2011 Career Expo

\$500.00

TES Tech

DPS 2011 Career Expo

\$500.00

Compass Group

Career Expo

\$500.00

Shook Touchstone LLC

Charity Adams, Dayton Boys Preparatory Academy, Eastmont Prek-8 School and Meadowdale Prek-8 School
Dedications

\$4,000.00

Joseph Flanagan, Jr.

Donation in support of the radio station.

\$250.00

Judilee Tash Sterne & Sadira Suzan Tash for the Joddy Tash Fund of the Dayton Foundation

Grant for Assistive Technology Devices for Special Education Students

\$1,700.00

Gaye Frey

Donation of books: The theatre books were donated to Stivers, and all other books donated to the curriculum department.

Books

\$800.00

Respectfully submitted,

Stanley E. Lucas

Treasurer

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

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

AYES: Isaacs, Lacey, Lee, Nerny, Schooler, Taylor – 6

NAYS: None – 0

Motion Carried.

NEW BUSINESS

Ms. Isaacs attended the National School Boards Association Conference last week.

Mr. Lacey attended the soup fundraiser at Stiver's School for the Arts several weeks ago.

Mr. Lee attended the National School Boards Association Conference last week.

Ms. Taylor also attended the National School Boards Association Conference last week.

RESOLUTION TO ADOPT BOARD POLICY
(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 are brought at this time for second reading 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 has been codified for inclusion in the Handbook of Policies, Rules and Regulations:

File:	AC/ACA	NONDISCRIMINATION/HARASSMENT
		Language and/or legal reference added regarding the Generic Information Nondiscrimination Act of 2008 (GINA).
File:	BCCC	TREASURER'S CONTRACT
		Language changed regarding filling mid-term vacancies, maintaining appropriate licensure, increasing/decreasing salaries. Language removed regarding correcting deficiencies.
File:	CBC	SUPERINTENDENT'S CONTRACT
		Language changed regarding filling mid-term vacancies, maintaining appropriate licensure, increasing/decreasing salaries. Language removed regarding correcting deficiencies.
File:	GBA	EQUAL OPPORTUNITY EMPLOYMENT
		Language and/or legal reference added regarding GINA.

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

- File: GBE** STAFF HEALTH AND SAFETY
Language and/or legal reference added regarding GINA.
- File: GBL** PERSONNEL RECORDS
Language and/or legal reference added regarding GINA.
- File: GBR** FAMILY AND MEDICAL LEAVE
Language and/or legal reference added regarding GINA.
- File: GCBD** PROFESSIONAL STAFF LEAVES AND ABSENCES
Language and/or legal reference added regarding GINA. Also, added legal reference to Americans with Disabilities Act
- File: GDBD** SUPPORT STAFF LEAVES AND ABSENCES
Language and/or legal reference added regarding GINA.
- File: JFG** INTERROGATIONS AND SEARCHES
Added word “explosive”

See attachments for detailed copies of these regulations

It was moved by Mr. Lee and seconded by Mr. Lacey to accept the adoption of this policy.

AYES: Isaacs, Lacey, Lee, Nerny, Schooler, Taylor – 6

NAYS: None – 0

Motion Carried.

SUPERINTENDENT’S ANNOUNCEMENTS

- Ashley Cooper – 2011 Gates Millennium Scholar
- Open Enrollment – Monday through Friday
- Good Friday
- Monday Ohio Achievement Assessment
- Tune in to DPS TV / Web Site for Year End Events

NEW BUSINESS CONTINUED

Ms. Nerny was interviewed by Diane Wellborn of the Ombudsman Program last Monday on Channel 5.

**Board of Education, Dayton City School District
Dayton Montgomery County, Ohio
April 19, 2011 – Business Meeting**

ADJOURNMENT

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

AYES: Isaacs, Lacey, Lee, Nerny, Schooler, Taylor – 6

NAYS: None – 0

Motion Carried. Meeting adjourned at 7:43 p.m.

ATTEST:

Stanley E. Lucas, Treasurer / Chief Financial Officer

Nancy Nerny, President

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

RATIONALE:

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

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

FILE	TITLE	CHANGE	MOTION/ SECOND	YES/NO/ ABSTAIN
AC/ACA	Nondiscrimination/Harassment	<i>Language and/or legal reference added regarding the Genetic Information Nondiscrimination Act of 2008 (GINA).</i>		
BCCC	Treasurer's Contract	<i>Language changed regarding filling mid-term vacancies, maintaining appropriate licensure, increasing/decreasing salaries. Language removed regarding correcting deficiencies.</i>		
CBC	Superintendent's Contract	<i>Language changed regarding filling mid-term vacancies, increasing/decreasing salaries. Language removed regarding correcting deficiencies.</i>		
GBA	Equal Opportunity Employment	<i>Language and/or legal reference added regarding GINA.</i>		
GBE	Staff Health and Safety	<i>Language and/or legal reference added regarding GINA.</i>		

GBL	Personnel Records	<i>Language and/or legal reference added regarding GINA.</i>		
GBR	Family and Medical Leave	<i>Language and/or legal reference added regarding GINA.</i>		
G CBD	Professional Staff Leaves and Absences	<i>Language and/or legal reference added regarding GINA. Also, added legal reference to Americans with Disabilities Act.</i>		
G DBD	Support Staff Leaves and Absences	<i>Language and/or legal reference added regarding GINA.</i>		
JFG	Interrogations and Searches	<i>Added word "explosive"</i>		

April 19, 2011

NONDISCRIMINATION/HARASSMENT
(Including Nondiscrimination on the Basis of Sex and Disability; Sexual Harassment)

The Board does not permit discriminatory practices. To ensure compliance with this policy, the Board:

1. promotes the rights and responsibilities of individuals as set forth in the State and Federal Constitutions, pertinent legislation and applicable judicial decisions;
2. encourages positive experiences for children, youth and adults;
3. works toward a more integrated society and enlists the support of individuals, as well as private and governmental groups and agencies, in such an effort;
4. uses communication and action techniques to air and reduce the grievances of individuals and groups;
5. considers the potential benefits or adverse consequences that the Board's decisions might have on the human relations aspects of the school community and
6. initiates a process of reviewing policies and practices of this District in order to help achieve the objectives of this statement.

The Board's policy of nondiscrimination extends to students, staff, job applicants, the general public and individuals with whom it does business, and applies to race, color, national origin, ancestry, citizenship status, religion, sex, economic status, age, disability, sexual orientation, status as a parent, military status and other human differences.

The Board does not discriminate on the basis of legally acquired genetic information.

The Board views harassment as a form of discrimination. Harassment is defined as intimidation by threats of or actual physical violence; the creation, by whatever means, including the use of electronic communications devices, of a climate of hostility or intimidation; or the use of language, conduct or symbols in such a manner as to be commonly understood to convey hatred, contempt or prejudice or to have the effect of insulting or stigmatizing an individual.

Employees or students who engage in discrimination/harassment of another employee or student are subject to disciplinary action.

Permission, consent or assumption of risk by an individual subjected to discrimination/harassment does not lessen the prohibition contained in this policy.

Nondiscrimination on the Basis of Sex

The U.S. Department of Education has published regulations for implementing Title IX of the Education Amendments of 1972, which prohibits sex discrimination in federally assisted education programs.

Title IX states, in part: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

The Board ensures compliance with Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964 and the regulations promulgated through the U.S. Department of Education.

Nondiscrimination on the Basis of Disability

The Board maintains that discrimination against a qualified disabled person solely on the basis of disability is unfair. To the extent possible, qualified disabled persons should be in the mainstream of life in a school community. In addition, the District is the recipient of federal funds and therefore must be in compliance with all laws and regulations which deal with disabled individuals.

Accordingly, employees of the District comply with the law and Board policy to ensure nondiscrimination on the basis of disability. The following is expected.

1. No one discriminates against qualified disabled persons in any aspect of school employment solely on the basis of disability.
2. Facilities, programs and activities are made available to qualified disabled persons.
3. Free appropriate public education at elementary and secondary levels, including nonacademic and extracurricular services and activities, are provided to qualified disabled persons.
4. No one excludes any qualified disabled person, solely on the basis of disability, from participation in any preschool education, day care, adult education or career-technical education program.
5. Each qualified disabled person is provided with the same health, welfare and other social services which are provided to others.

Sexual Harassment

All persons associated with the District, including, but not limited to, the Board, the administration, the staff and the students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Sexual harassment, whether verbal or nonverbal, occurring inside or outside of District buildings, on other District-owned property or at school-sponsored social functions/activities, is illegal and unacceptable and will not be tolerated. Any person who engages in sexual harassment while acting as a member of the school community is in violation of this policy.

Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or educational development;
2. submission to, or rejection of, such conduct by an individual is used as the basis for employment or education decisions affecting such individual or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive environment.

Examples of sexual harassment-type conduct may include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated sexual jokes, flirtations, advances or propositions; verbal abuse of a sexual nature; graphic verbal commentary relating to an individual's body, sexual prowess or sexual deficiencies; coerced sexual activities; any unwanted physical contact; sexually suggestive or obscene comments or gestures; or displays in the workplace of sexually suggestive or obscene objects or pictures. Whether any act or comment constitutes sexual harassment-type conduct is often dependent on the individual recipient.

The Compliance Officer: The Board directs the Superintendent to appoint one or more compliance officers who are vested with the authority and responsibility for investigating all discrimination/harassment complaints in accordance with the procedures set forth in the accompanying regulation and staff and student handbooks.

Discrimination/harassment matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible. No one shall retaliate against an employee or student and/or his/her parent because he/she files a grievance, assists or participates in an investigation, proceeding or hearing regarding the charge of discrimination/harassment of an individual or because he/she has opposed language or conduct that violates this policy.

The Board has developed complaint procedures which are made available to every member of the school community. The Board has also identified disciplinary penalties which could be imposed on the offenders.

[Adoption date: August 5, 2009]

[Anticipated Re-adoption date: April 19, 2011]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.
Rehabilitation Act; 29 USC 794
Individuals with Disabilities Education Act; 20 USC 1400 et seq.
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 8 USC 1324a et seq.
Americans with Disabilities Act; 42 USC 12112 et seq.
Ohio Const. Art. I, Section 2
ORC Chapter 3323.01
Chapter 4112
5903.01 (G)
OAC 3301-35-02; 3301-35-03

CROSS REFS.: AE, School District Goals and Objectives
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
GBA, Equal Opportunity Employment
IGAB, Human Relations Education
IGBA, Programs for Students with Disabilities
IGDJ, Interscholastic Athletics
IIAA, Textbook Selection and Adoption
JB, Equal Educational Opportunities
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing and Bullying (Mandatory Reporting)
JHG, Reporting Child Abuse
Employee Manual
Student Handbooks
AC-E, Complaint Form

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Collective Bargaining Agreements

NOTE: This category is for a general policy covering all types of nondiscrimination and harassment relating to students, staff and others. State and Federal law apply. Advice from your attorney would be helpful when drafting policies in this area.

If a policy relates to staff only, to students only, or a particular form of nondiscrimination, it is better filed elsewhere. Appropriate codes for such statements are indicated by the cross references.

Regulations pertaining to all forms of nondiscrimination--or a procedure all persons can resort to for redress of grievances related to nondiscrimination would follow under code AC-R.

Approval by a Board of Education of regulations in this area is required by law in some instances.

The Genetic Information Nondiscrimination Act of 2008 prohibits employers from discrimination in the employment setting on the basis of genetic information.

THIS IS A REQUIRED POLICY

TREASURER'S CONTRACT

The appointment of the Treasurer is secured through a written agreement stating the terms of the contract. The contract meets all state requirements and protects the rights of both the Board and the Treasurer.

The Treasurer is appointed for a term not to exceed five years. The initial contract can be for not less than one year or more than five years. The term commences on August 1 and continues through July 31 of the year in which the contract expires. Should a vacancy occur mid-term, the Board can appoint a new hire to a term starting on any date – as long as the length of the contract does not exceed five years from the prior August 1. The period of time in which the Treasurer's contract may be renewed begins on January 1 of the year prior to the contract's expiration and ends on March 1 of the year in which the contract expires.

Salary and benefits are determined by the Board at the time of the appointment and are reviewed by the Board each year. The Treasurer's salary may be increased or decreased during his/her term of office. However, any decrease must be a part of "a uniform plan" affecting salaries of all District employees.

The termination procedures that currently apply to teachers and other administrators, requiring a due process hearing, are applicable to the Treasurer.

If the Board intends to nonrenew the Treasurer's contract, notice in writing of the intended nonrenewal must be given to the Treasurer on or before March 1 of the year in which the contract expires.

The Treasurer is automatically disqualified from service if he/she fails to maintain his/her license. The Board may permit an individual who does not hold possess a valid treasurer's license to serve as District Treasurer as long as the individual meets the all qualifications for licensure and has applied for a issuance or renewal of his/her license but has not yet received the State Board of Education's decision.

Nothing in this policy shall prevent the Board from making the final determination regarding the renewal or nonrenewal of the Treasurer's contract.

[Adoption date: August 5, 2009]

[Anticipated Re-adoption date: April 19, 2011]

LEGAL REFS.: ORC 3301.074
3313.22 et seq.; 3313.31
3319.01; 3319.04; 3319.16

CROSS REFS.: BCC, Qualifications and Duties of the Treasurer
BCCA, Incapacity of the Treasurer
BCCB, Evaluation of the Treasurer (Also AFBA)
BCCD, Board-Treasurer Relationship.

NOTE: At the expiration of a treasurer's current contract, he/she is deemed re-employed for a term of one year at the same salary plus any increments that the board may authorize, unless the board, on or before March 1 of the year in which the contract expires, either re-employs the treasurer or gives him/her a written notice of intention not to re-employ.

A treasurer shall not be transferred to any position during the term of his/her employment except by mutual agreement by the treasurer and the board.

Should a treasurer's contract be terminated for good or just cause, the district's superintendent shall perform the assigned duties of the treasurer.

Upon a treasurer's separation from employment, the board may provide compensation at the treasurer's current rate of pay for all lawfully accrued and unused vacation leave, not to exceed the amount accrued during the three years before the date of separation.

SUPERINTENDENT'S CONTRACT

The appointment of the Superintendent is secured through a written agreement stating the terms of the contract. The contract meets all state requirements and protects the rights of both the Board and the Superintendent.

The Superintendent is appointed for a term not to exceed five years. The term commences on August 1 and continues through July 31 of the year in which the contract expires. Should a vacancy occur mid-term, the Board can appoint a new hire to a term starting on any date – as long as the length of the contract does not exceed five years from the prior August 1. The period of time in which a the Superintendent's contract may be renewed begins on January 1 of the year prior to the contract's expiration and ends on March 1 of the year in which the contract expires.

Salary and benefits are determined by the Board at the time of the appointment and are reviewed by the Board each year. The Superintendent's salary may be increased or decreased during his/her term of office. However, any decrease must be part of "a uniform plan" affecting salaries of all District employees.

If the Board intends to nonrenew the Superintendent's contract, notice in writing of the intended nonrenewal must be given to the Superintendent on or before March 1 of the year in which the contract expires.

Nothing in this policy shall prevent the Board from making the final determination regarding the renewal or nonrenewal of the Superintendent's contract.

The Superintendent's contract may also be terminated for cause.

Residency Requirement

The Superintendent, as a condition of employment, will have actual residence and live physically within the geographical boundaries of the Dayton City School District. A newly appointed Superintendent will have six months from commencement of employment and performance of duties to meet this requirement.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: ORC 3319.01; 3319.16; 3319.225; 3319.27

CROSS REFS.: CBA, Qualifications and Duties of the Superintendent
CBAA, Incapacity of the Superintendent
CBG, Evaluation of the Superintendent (Also AFB)
CBI, Board-Superintendent Relationship (Also BCD)

NOTE: *The board of education of a city, exempted village, local or joint vocational school district can require its superintendent, as a condition of employment, to reside within the district's boundaries.*

The governing board of an educational service center can require its superintendent, as a condition of employment, to reside in the county or an adjacent county of the district.

At the expiration of a superintendent's current contract, he/she is deemed reemployed for a term of one year at the same salary plus any increments that the board may authorize, unless the board, on or before March 1 of the year in which the contract expires, either re-employs the superintendent or gives him/her a written notice of intention not to re-employ.

A superintendent shall not be transferred to any position during the term of his/her employment except by mutual agreement by the superintendent and the board.

A superintendent's contract can only be terminated for good or just cause.

Upon a superintendent's separation from employment, the board may provide compensation at the superintendent's current rate of pay for all lawfully accrued and unused vacation leave, not to exceed the amount accrued during the three years before the date of separation.

EQUAL OPPORTUNITY EMPLOYMENT

The District provides equal opportunities for employment, retention and advancement of all personnel.

This Board encourages all personnel to assist in the accomplishment of this goal through their personal commitment to the concept of equal opportunity for all personnel regardless of race, color, national origin, ancestry, citizenship status, religion, sex, economic status, age, disability, sexual orientation, military status or any other human difference.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d
Executive Order 11246, as amended by Executive Order 11375
Equal Employment Opportunity Act, Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.
Rehabilitation Act; 29 USC 794
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 8 USC 1324a et seq.
Americans with Disabilities Act; 42 USC 12101 et seq.
ORC Chapter 4112
5903.01 (G)

CROSS REF.: AC, Nondiscrimination/Harassment

NOTE: *While not a federally protected class, the Genetic Information Nondiscrimination Act of 2008 prohibits employers from discrimination based on genetic information.*

THIS IS A REQUIRED POLICY

STAFF HEALTH AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Board attempts to ensure the safety of employees during their working hours and assist them in the maintenance of good health.

All employees are expected to observe commonly recognized practices which promote the health and safety of school personnel.

Bus drivers will have an annual physical examination in compliance with State law. The results of all such examinations are filed with the Superintendent.

Employees who are required by State or Federal law to have respiratory protection are required to have two physical examinations. The first examination must take place prior to the individual's wearing a respirator. The second examination must take place after the individual's exposure to any hazardous material (within 30 days if it is a one-time exposure, and at least annually if it is ongoing exposure).

The Board or the Superintendent may require an employee to receive a physical or mental examination at any time when job-related to the specific position and necessary to ensure performance of the job's essential functions and/or to protect the health and safety of students or other employees. If so required, the employee may:

1. request an examination at the Board's expense either by the school physician or another physician designated by the school physician or
2. receive an examination at his/her own expense by his/her personal physician.

A complete report regarding any physical and/or mental examination given pursuant to this policy is submitted to the Superintendent and/or the employee's personal physician but will not be released to the public without the prior approval of the employee, provided nothing in this section precludes a review of this medical report by a physician contacted as a consultant by either the school physician or the employee's personal physician.

In the following instances employees must, if asked, submit a medical statement from their personal physicians:

1. An employee who has used 25 or more days of sick leave for personal illness between September 1 and the following August 31 may be required to submit a medical certificate indicating his/her ability to perform the job.

2. An employee on sick leave for more than three consecutive days may be required to submit a doctor's statement.
3. An employee who is absent because of illness for 20 consecutive days or more must submit a statement from his/her doctor before returning to work.

Any genetic information acquired as a result of individual examinations will be handled in accordance with Federal law.

Workers' Compensation

In case of injury while pursuing duties in keeping with the employee's work assignment, the employee may be eligible for payment of medical expenses under the Workers' Compensation Act of Ohio.

Any employee who is injured while at work should immediately report such injury to the central office and request the necessary forms to make application for payment under this act.

The injured employee may be requested to undergo chemical testing, as established by law and administrative regulation. The employee must prove that the injury was not proximately caused by the employee being intoxicated or under the influence of a controlled substance not prescribed by the employee's physician. The results of, or the employee's refusal to submit to, any of the requested chemical tests may affect the employee's eligibility to receive worker's compensation benefits.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: Asbestos School Hazard Abatement Act; 20 USC 4011 et seq.
Asbestos Hazard Emergency Response Act; 15 USC 2641 et seq.
Comprehensive Environmental Response, Compensation and Liability Act;
42 USC 9601 et seq.
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.
ORC 3313.643; 3313.71; 3313.711
3327.10
4113.23
4123.01 et seq.
4123.35
4123.54

CROSS REFS.: EB, Safety Program
EBBC, Bloodborne Pathogens
EEACD, Drug Testing for District Personnel and Persons Required to Hold a
Commercial Driver's License
GBCB, Staff Conduct
GBP, Drug-Free Workplace
GBQ, Criminal Record Check
GCBC, Professional Staff Fringe Benefits
GDBC, Support Staff Fringe Benefits
Employee Manual

CONTRACT REFS.: Teachers' Collective Bargaining Agreements
Support Staff Collective Bargaining Agreements

NOTE: This category is for statements on staff physical and mental health examination requirements, the school board's commitment to assisting employees in the maintenance of good health, its concern with occupational safety and so on.

Language regarding the handling of genetic information has been added in compliance with the Genetic Information Nondiscrimination Act of 2008. Additional language should be added to all medical request forms and is available upon request.

Observe the cross references. Health insurance plans for employees are properly coded under Fringe Benefits for the appropriate category of staff.

THIS IS A REQUIRED POLICY

PERSONNEL RECORDS

The Superintendent develops and implements a comprehensive and efficient system of personnel records. The Executive Director of Human Resources is hereby designated as the employee directly responsible for the personnel records system. The following guidelines govern such records.

1. Personnel files contain records and information relative to compensation, payroll deductions, evaluations and such information as may be required by state or federal government or considered pertinent by the Superintendent. Anonymous material or material from an unidentified source are not placed in a staff member's file.
2. A personnel file for each employee is accurately maintained in the District office in accordance with administrative regulations incorporating the requirements set forth under the Ohio Privacy Act for the protection of employees.
3. State law requires that all public records be promptly prepared and made available for inspection to any member of the general public at all reasonable times during regular business hours. Upon request, the person directly responsible for personnel records is required to make copies available at cost, within a reasonable period of time.
4. The public has access to all records in the personnel file with the following exceptions:
 - A. medical records;
 - B. records pertaining to adoption, probation or parole proceedings;
 - C. trial preparation records;
 - D. confidential law enforcement investigatory records;
 - E. social security number and
 - F. records of which the release is prohibited by State or Federal law.
5. The District is required to keep reports of investigations of teacher misconduct in the employee's personnel file, unless ODE determines that the report does not warrant taking action against the teacher.

If ODE determines no action is warranted, the investigation report must be moved from the employee's personnel file to a separate public file.

6. Each employee has the right to review the contents of his/her own personnel file. If a document is not disclosed to the employee because it is determined by a physician, psychiatrist or psychologist to be likely to have an adverse effect upon the employee, the document will be released to the designated medical authority. Requests are made to the Superintendent and scheduled for a time convenient for the parties involved.
7. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and becomes part of the employee's personnel file after the appeal procedure outlined in the Ohio Revised Code. The appeal procedure permits any employee who disputes the accuracy, relevance, timeliness or completeness of information maintained in his/her file to compel the District to investigate the current status of the information.
8. Personnel records should be reviewed only within the confines of the administrative offices.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.
ORC 9.01; 9.35
149.41; 149.43
1347.01 et seq.
3317.061
3319.311; 3319.314
4113.23

CROSS REFS.: KBA, Public's Right to Know
Employee Manual

CONTRACT REFS.: Teachers' Collective Bargaining Agreements
Support Staff Collective Bargaining Agreements

NOTE: In accordance with the Genetic Information Nondiscrimination Act of 2008, any genetic information that is legally acquired after November 21, 2009, must be placed in a confidential medical file, separate from an employee's personnel file. Genetic information acquired and placed in an employee's personnel file prior to November 21, 2009 may remain there.

If an employer already maintains a separate confidential, medical file, genetic information may be stored there.

Any genetic information legally acquired through publicly or commercially available sources is not considered confidential and therefore, need not be filed as such.

Further, genetic information acquired orally does not need to be reduced to writing and filed.

Regardless of federal handling requirements, employers are prohibited from discriminating on the basis of genetic information.

THIS IS A REQUIRED POLICY

FAMILY AND MEDICAL LEAVE

The Board provides leave to eligible employees consistent with the Family and Medical Leave Act (FMLA). Eligible employees are entitled to up to 12 work weeks 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: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.
ORC 124.38
3313.20;
3319.08; 3319.09; 3319.13; 3319.131; 3319.141

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

CONTRACT REFS.: Teachers' Collective Bargaining Agreements
Support Staff Collective Bargaining Agreements

NOTE: Genetic Information acquired in relation to FMLA and its certification process falls into an exception to the prohibition against acquisition of genetic information under the Genetic Information Nondiscrimination Act of 2008. Although acquisition of genetic information is not prohibited in this instance, employers are still prohibited from discriminating based on such genetic information.

THIS IS A REQUIRED POLICY

PROFESSIONAL STAFF LEAVES AND ABSENCES

The Board provides a plan for considering leaves and absences for its staff members in accordance with the Ohio Revised Code, the collective bargaining agreement and Board policies. Short-term leaves and absences are approved by the Superintendent. The Superintendent presents all requests for extended leaves of absence to the Board along with his/her recommendation for action.

Community Schools Leave of Absence

The Board grants a leave of absence of at least three years to each member of its teaching staff who is an employee at a community school. If an employee wishes to remain at the community school beyond the term of the leave of absence, he/she must re-apply to the Board for an additional leave of absence. The Board will consider such requests on a case-by-case basis. The Board reinstates a former employee after they are discharged from the community school unless the employee is terminated by the community school for a reason for which the Board itself would have sought to terminate the employee. In such cases, the Board may institute termination proceedings in compliance with State law and/or the collective bargaining agreement.

Any teacher holding valid certification and returning to employment by the District upon termination of the leave of absence is restored to the previous position and salary or to a position and salary similar to the previous position. The Board may reduce the number of teachers it employs as a result of teachers returning to employment upon termination of a community school leave of absence. The reduction will be in compliance with the provisions contained in State law and/or the collective bargaining agreement.

The Board permits employees returning from community schools to receive credit for any personal leave days accrued while employed at the community school.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.
Genetic Information Nondiscrimination Act of 2008, 42 USC 2000fff et seq.
ORC 124.38
~~3313.20~~; 3313.211
3319.08; 3319.09; 3319.13; 3319.131; 3319.14; 3319.141; 3319.143

CROSS REFS.: GBR, Family and Medical Leave
GCB, Administrator Employment Contracts
Employee Manual

CONTRACT REFS.: Teachers' Collective Bargaining Agreements

NOTE: This is an area that is generally covered by contracts negotiated with recognized bargaining units. It is also an area in which many State laws set forth provisions for various types of leaves. In many cases, legal references referring the reader to the appropriate sections of State law and to the pertinent contract(s) would be appropriate; however, if there are separate policies on leaves and absences for professional staff members who are not members of a recognized bargaining unit, code GCBD can be used. This code is useful for an overall policy and there may be regulations pertaining to all leaves and absences to file under code GCBD-R. Subcategories under GCBD were left open so that school districts might add them as most appropriate for their particular collection of leave policies and the terminology used in the individual school districts.

It is important to point out that if a board grants a leave of absence to a teacher and the teacher pays his/her share of retirement costs, the board has an obligation to pay its share of retirement costs for the period of time covered by the leave unless the employee agrees to forgo retirement credit as a condition of the leave.

Persons employed by the District and assigned to a community school are considered employees of the District in all respects.

Should any genetic information be acquired as a result of a request for leave, that information should be kept in a confidential medical file, separate from the employee's personnel file. The employer is prohibited from discriminating against the employee based on the acquired genetic information.

THIS IS A REQUIRED POLICY

SUPPORT STAFF LEAVES AND ABSENCES

Leaves and absences granted to the support staff are for the purposes of helping them maintain their physical health, taking care of family and other personal emergencies and discharging important and necessary obligations.

All requests for unpaid leaves of absence are submitted by the Superintendent, together with his/her recommendations, to the Board for its action.

Community Schools Leave of Absence

The Board grants a leave of absence of at least three years to each member of its support staff who is an employee at a community school. If an employee wishes to remain at the community school beyond the term of the leave of absence, he/she must re-apply to the Board for an additional leave of absence. The Board will consider such requests on a case-by-case basis. The Board reinstates a former employee after they are discharged from the community school unless the employee is terminated by the community school for a reason for which the Board itself would have sought to terminate the employee. In such cases, the Board may institute termination proceedings in compliance with State law and/or the collective bargaining agreement.

The Board permits employees returning from community schools to receive credit for any personal leave days accrued while employed at the community school.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.
ORC 124.38 through 124.39
3313.20; 3313.211
3319.13; 3319.141; 3319.142; 3319.143

CROSS REFS.: GBR, Family and Medical Leave
Employee Manual

CONTRACT REFS.: Support Staff Collective Bargaining Agreements

NOTE: It is suggested that the same format be used for organizing and coding leave policies for the classified staff as is used for leave policies for the professional staff. For suggestions, see the note following the same policy coded GCBD

City school districts should also refer to and cite ORC 124.38 and 124.39.

Persons employed by the District and assigned to a community school are considered employees of the District in all respects.

Should any genetic information be acquired as a result of a request for leave, that information should be kept in a confidential medical record, separate from the employee's personnel file. The employer is prohibited from discriminating against the employee based on the acquired genetic information.

THIS IS A REQUIRED POLICY

INTERROGATIONS AND SEARCHES

The Board recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner.

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Such spaces remain the property of the Board and, in accordance with law, may be the subject of random search. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. The Board directs the school principals to conduct a routine inspection at least annually of all such storage places.

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property, including vehicles, of a student with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board. Administrators are permitted to conduct a random search of any student's locker and its contents at any time, providing proper notice has been posted in the locker areas of each building.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender in the presence of another staff member of the same gender, and only in exceptional circumstances when the health and safety of the student or of others is immediately threatened.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the Superintendent has reasonable suspicion that illegal drugs or explosive devices may be present in a school. This means of detection shall be used only to determine the presence of drugs in locker areas and other places on school property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to the search.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal who shall seek the freely offered consent of the student to the inspection. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable belief that health and safety are immediately threatened will be concluded with as much speed and dispatch as may be required to protect persons and property.

The Superintendent shall prepare administrative guidelines to implement this policy.

[Adoption date: August 5, 2009]

[Anticipated re-adoption date: April 19, 2011]

LEGAL REFS.: U.S. Const. Amend. IV
ORC 3313.20

CROSS REFS.: JF, Student Rights and Responsibilities
JHG, Reporting Child Abuse

THIS IS A REQUIRED POLICY