

**REGULAR MEETING
THE BOARD OF EDUCATION OF
YOUNGSTOWN CITY SCHOOL DISTRICT
YOUNGSTOWN, OHIO**

20 West Wood Street

February 12, 2013

The Youngstown Board of Education met in regular session at the I.L. Ward Building on February 12, 2013. President Richard Atkinson called the meeting to order at 5:32 p.m. The meeting opened with the Pledge of Allegiance followed by a moment of silence. Roll call was taken with the following board members in attendance:

Members present: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis
Members absent: Hanni, Mahone

STUDENT BOARD MEMBERS

Members present: Hilson, Sharp, Miller
Members absent: None

Board members discussed agenda items.

EXECUTIVE SESSION

At 5:50 p.m. Mr. Beachum moved, seconded by Mr. Murphy that board members adjourn to executive session to discuss the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or the investigation of charges or complaints against an employee, official, licensee or student, unless the employee, official, licensee or student requests a public hearing. On roll call vote the results were as follows:

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis
Nays: None

Motion carried.

Board members recessed executive session at 6:10 p.m.

The regular portion of the meeting reconvened at 6:12 p.m.

APPROVAL OF AGENDA

As the first item of business, Mr. Atkinson called for a motion approving the agenda. Mr. Beachum moved that the agenda be approved as presented. It was seconded by Mr. Murphy. On roll call vote the results were as follows:

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis
Nays: None

Motion carried, and the agenda was approved as presented.

APPROVAL OF MINUTES

Ms. Haire-Ellis moved, seconded by Mr. Atkinson that the minutes of the organizational/regular board meetings of January 8, 2013 and January 22, 2013 and the special meeting of February 5, 2013 be approved as presented. On roll call vote the results were as follows:

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis
Nays: None

Motion carried, and minutes were approved as presented.

COMMUNICATIONS

There were no oral or written communications.

CITIZEN PARTICIPATION

President Atkinson called for citizen participation. Pamela Collins and Wanda Coleman of the Parent Student Union addressed the Board.

BOARD COMMENTS

Ms. Kimble welcomed and thanked those in attendance.

Mr. Murphy noted that the Finance/Business/Non-Certificated Committee would meet Wednesday, February 13th at 5:00 p.m.

Ms. Haire-Ellis stated that the Curriculum/Extra-Curricular/Sports Committee would resume their meetings beginning February 27th at 5:00 p.m. in room 214. She further noted that the committee would like to see regular update and reporting days established in order to receive information regarding test scores, suspensions, attendance, graduation rates etc.

STUDENT BOARD MEMBERS

Nicole Miller representing Youngstown Early College, Charidan Hilson representing Chaney Campus and Shannon Sharp representing East High School presented information on the various activities taking place at their schools.

PRESIDENT'S REPORT

President Atkinson commented on the following functions he attended:

- The Dr. Martin Luther King Program at Harding Elementary School
- Northeast Executive Committee Meeting
- Annual Mahoning County Board of Education Meeting.

TREASURER'S REPORT

Brian Rella, interim treasurer, had no report at this time.

SUPERINTENDENT'S REPORT

Dr. Hathorn had no report at this time.

NEW BUSINESS

CONSENT AGENDA

Ms. Haire-Ellis offered a motion to place Resolution No. 16-13 through Resolution No. 32-13 on a Consent Agenda. Mr. Murphy seconded the motion, and on roll call vote the results were as follows:

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis
Nays: None

Motion carried.

Mr. Atkinson then entertained a motion to adopt the Consent Agenda. Ms. Haire-Ellis moved adoption of the Consent Agenda, seconded by Mr. Murphy which included Resolution No. 16-13 through Resolution No. 32-13 summarized as follows:

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis
Nays: None

Motion carried.

**The Public Schools
Youngstown, Ohio
Office of the Treasurer**

RESOLUTION NO. 16-13

**RESOLUTION RELATIVE TO
THE GATTA COMPANY, LLC
100 WEST FEDERAL STREET
YOUNGSTOWN, OH 44503**

WHEREAS, the City of Youngstown through its Mayor, Charles Sammarone, has asked the Board to consider granting abatements under the Community Reinvestment Act, Section 3735.67(D)(3), and implementing ordinances enacted by Youngstown City Council to the above-referenced businesses and individuals; and

WHEREAS, the Board has considered this request and, in an attempt to work with Youngstown City Council for the welfare of the community, has determined that this abatement will generally not cause undue hardship for the District;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby advises Youngstown City Council that it has no objection to the abatement granted to: The Gatta Company, LLC, 100 West Federal Street, Youngstown, OH 44503 for twelve (12) years at 100% provided that such abatements comply with the applicable provisions of Ohio Revised Code and implementing legislation adopted by Youngstown City Council.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 17-13

**RESOLUTION TO HONOR OFFICERS
MALIK MOSTELLA & JOHN SPENCER
WORKING SECURITY AND AS FOOTBALL COACHES WITHIN THE
YOUNGSTOWN CITY SCHOOL DISTRICT**

WHEREAS, the Board of Education of the Youngstown City School District seeks to acknowledge outstanding performance in our district whenever it is found and;

WHEREAS, the Youngstown City School District desires to see a strong, supportive relationship between the community and school for the well-being of our students and;

WHEREAS, Officer Malik Mostella and Deputy John Spencer have performed as positive role models for both male and female students, giving support and adding to a positive learning environment in the schools where they have worked and;

WHEREAS, as football coaches, these two men have provided informal counseling and mentoring to students in addition to athletic instruction and;

WHEREAS, Officer Malik Mostella and Deputy John Spencer have worked in the school district since 2004 and 2000 respectively.

NOW, THEREFORE, BE IT RESOLVED, that Officer Malik Mostella and Deputy John Spencer be recognized by the Board of Education of the Youngstown City School District and honored for dedication, commitment, and service to developing good relationships between the community and school for the benefit and well-being of our students adding to a positive learning environment within the schools and district.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 18-13

**RESOLUTION TO ADOPT POLICY
ON NON-DISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY (ADMINISTRATION)**

WHEREAS, the Board of Education of the Youngstown City School District, does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, military status, ancestry, genetic information (collectively, “Protected Classes”), or any other legally protected category, in its programs and activities, including employment opportunities; and

WHEREAS, the Superintendent has developed and recommended to this Board adoption of the attached policy entitled, “Non-Discrimination and Equal Employment Opportunity.”

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District that the policy entitled, “Non-Discrimination And Equal Employment Opportunity,” recommended by the Superintendent, a copy of which is attached hereto and incorporated herein by this reference, is hereby ratified, approved and adopted by this Board.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, military status, ancestry, genetic information (collectively, "Protected Classes"), or any other legally protected category, in its programs and activities, including employment opportunities.

The Superintendent shall appoint and publicize the name of the compliance officer(s) who is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

R.C. 4112.01, 4112.02

A.C. 3301-35-03(A)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C., 2000e, et seq., Civil Rights Act of 1964

42 U.S.C., 12112, Americans with Disabilities Act of 1990, as amended

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended

20 U.S.C. 1681 et seq., Title IX

29 C.F.R. Part 1635

Adopted:

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 19-13

**RESOLUTION TO APPROVE REVISED POLICY
ON NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY
(PROFESSIONAL STAFF)**

WHEREAS, the Board of Education of the Youngstown City School District, adopted a policy to enforce laws and regulations regarding nondiscrimination and equal employment opportunity for professional staff; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Nondiscrimination and Equal Employment Opportunity” at Section 3122 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled “Nondiscrimination and Equal Employment Opportunity,” a copy of which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (**including sexual orientation and transgender identity**), disability, **age, religion**, military status, ancestry, genetic information (collectively, "**Protected Classes**"), or any other legally protected **category**, in its programs and activities, including employment opportunities.

The Superintendent shall appoint and publicize the name of the compliance officer(s) who is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

R.C. 4112.01, 4112.02

A.C. 3301-35-03(A)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C., 2000e, et seq., Civil Rights Act of 1964

42 U.S.C., 12112, Americans with Disabilities Act of 1990, **as amended**

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, **as amended**

20 U.S.C. 1681 et seq., Title IX

29 C.F.R. Part 1635

Adopted: 8/24/04

Revised: 10/28/08

Revised: 2/14/11

Revised:

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 20-13

**RESOLUTION TO APPROVE REVISED POLICY
ON NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY
(CLASSIFIED STAFF)**

WHEREAS, the Board of Education of the Youngstown City School District, adopted a policy to enforce laws and regulations regarding nondiscrimination and equal employment opportunity for professional staff; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Nondiscrimination and Equal Employment Opportunity” at Section 4122 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled “Nondiscrimination and Equal Employment Opportunity,” a copy of which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (**including sexual orientation and transgender identity**), disability, **age, religion**, military status, ancestry, genetic information (**collectively, "Protected Classes"**), or any other legally protected category, in its programs and activities, including employment opportunities.

The Superintendent shall appoint and publicize the name of the compliance officer(s) who is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring and promotion need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

R.C. 4112.01, 4112.02

A.C. 3301-35-03(A)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C., 2000e, et seq., Civil Rights Act of 1964

42 U.S.C., 12112, Americans with Disabilities Act of 1990, **as amended**

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, **as amended**

20 U.S.C. 1681 et seq., Title IX

29 C.F.R. Part 1635

Adopted: 8/24/04

Revised: 10/28/08

Revised: 2/14/11

Revised:

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 21-13

**RESOLUTION TO APPROVE REVISED POLICY
ON NONDISCRIMINATION AND
ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

WHEREAS, the Board of Education of the Youngstown City School District, adopted a policy to enforce laws and regulations regarding nondiscrimination and access to equal educational opportunity; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Nondiscrimination and Access to Equal Educational Opportunity” at Section 2260 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled “Nondiscrimination and Access to Equal Educational Opportunity,” a copy of which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**NONDISCRIMINATION AND
ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth. **As such**, the Board of Education **does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes")** in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to their membership in the Protected Classes, race, color, national origin, sex, disability, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent **shall**:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based upon **the Protected Classes** ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of **bias based upon the Protected Classes** in all aspects of the program;

C. Student Access

1. review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of **the Protected Classes** in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;
2. **verify that facilities are made available, in accordance with Board Policy 7510 - Use of District Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;**

D. District Support

verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of **the Protected Classes** .

The Superintendent shall appoint and publicize the name of the compliance officer(s) **who is/are responsible for coordinating** the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer(s) shall also verify that proper notice of nondiscrimination for Title II **of the Americans with Disabilities Act (as amended)**, Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 **(as amended)**, and the Age Discrimination **Act of 1975** is provided to students, their parents, staff members, and the general public.

**BOARD OF EDUCATION
YOUNGSTOWN CITY SCHOOL DISTRICT**

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The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the District but do not receive public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation, and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (see AG 2260F).

A.C. 3301-35-02(A)

R.C. 3301.0711, 3302.01, 3302.03, 3313.61, 3313.611, 3313.612, 3317.03

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

29 U.S.C. Section 794, Rehabilitation Act of 1973, as amended

42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964

42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 6101 et seq., **Age Discrimination Act of 1975**

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, **as amended**

29 C.F.R. Part 1635

34 C.F.R. Part 110 (7/27/93)

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979

Title III of the No Child Left Behind Act of 2001

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 22-13

**RESOLUTION TO APPROVE REVISED
POLICY ON FIELD AND OTHER DISTRICT-SPONSORED TRIPS**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3327.15, A.C. 3301-83-12, 3301-83-16(A) (B) (E), and Auditor of State Bulletin 2000-006, adopted a policy to make and enforce such rules and regulations regarding field and other district-sponsored trips; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled "Field And Other District-Sponsored Trips" at Section 2340 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled "Field And Other District-Sponsored Trips," a copy of which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**BOARD OF EDUCATION
YOUNGSTOWN CITY SCHOOL DISTRICT**

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FIELD AND OTHER DISTRICT-SPONSORED TRIPS

The Board of Education recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should:

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the schools;
- B. arouse new interests among students;
- C. help students relate school experiences to the reality of the world outside of school;
- D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;
- E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from District premises, which is an integral part of a course of study and is under the direct supervision and control of a professional staff member or any advisor as designated by the Superintendent.

Other District-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the District's total educational program and is under the direct supervision and control of a professional staff member or any advisor as designated by the Superintendent.

School personnel shall not accept any form of compensation from vendors that might influence their recommendation on the eventual selection of a location for, or a vendor that will provide transportation to, a field or other district-sponsored trip. Furthermore, school personnel shall not accept any compensation from a vendor after a decision has been made regarding the location for, or a vendor that will provide transportation to, a field or other District-sponsored trip. In addition, school personnel who recommended the location for, or a vendor that will provide transportation to, a field or other district-sponsored trip shall not enter into a contractual arrangement whereby an individual staff member receives compensation in any form from the vendor that operates the venue for, or provides the transportation to, a field or other District-sponsored trip for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a school staff member receives such compensation, albeit unsolicited, from a vendor, the staff member shall notify the Treasurer, in writing, that s/he received such compensation and shall thereafter promptly transmit said compensation to the Treasurer at his/her earliest opportunity.

The Superintendent shall approve all trips.

Students will not be charged for the cost of transportation to and from educational field trips on school days. Students may be assessed the cost for transportation to and from educational field trips on non-school days.

The Board shall assume all other costs of field trips, including, but not limited to, admission fees; no regularly-enrolled student shall be charged a fee for participation in field trips. Students may be charged such fees, however, for other District-sponsored trips which are not part of a course of study.

Students may be charged fees, including, but not limited to, admission fees, for District-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically.

Students on all District-sponsored trips remain under the supervision of this Board and are subject to the District's administrative guidelines.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Board or Superintendent. No staff member may solicit students of this District for such trips within the facilities or on the school grounds of the District without permission from the Superintendent. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the District's Administrative Guidelines for Extended Trips.

The Superintendent shall prepare administrative guidelines for the operation of both field and other District-sponsored trips, including athletic trips, which shall address:

- A. the safety and well-being of students;
- B. parental permission is sought and obtained before any student leaves the District on a trip;
- C. each trip is properly planned, and if a field trip, is integrated with the curriculum, evaluated, and followed up by appropriate activities which enhance its usefulness;
- D. the effectiveness of field trip activities is judged in terms of demonstrated learning outcomes;
- E. each trip is properly monitored;
- F. student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;
- G. a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge;
- H. provisions have been made for the administration of medication to those students for whom medications are administered routinely while at school;
- I. provisions have been made at the trip destination and in transportation, if and when required to accommodate students and/or chaperones with disabilities.

A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

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In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

School vehicles are not to be used if the entire distance traveled round trip from the point of exit and entry of the State is more than 1000 miles.

R.C. 3327.15

A.C. 3301-83-12, 3301-83-16(A)(B)(E)

Auditor of State Bulletin 2000-006

Adopted: 8/24/04

Revised:

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 23-13

**RESOLUTION TO APPROVE REVISED
POLICY ON NON-RENEWAL OF A TEACHER CONTRACT**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3319.08, 3319.11, and 3319.313, adopted a policy to make and enforce such rules regarding the non-renewal of a teacher contract; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Non-Renewal of a Teacher Contract” at Section 3142 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled “Non-Renewal of a Teacher Contract,” a copy of which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**BOARD OF EDUCATION
YOUNGSTOWN CITY SCHOOL DISTRICT**

**PROFESSIONAL STAFF
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NON-RENEWAL OF A TEACHER CONTRACT

It is the responsibility of the Board of Education to provide a competent and able professional staff to perform the educational services of the District.

The Board, upon the recommendation of the Superintendent, may exercise its option, under law, not to renew the contract of a teacher under a limited or extended limited contract. The term "teacher" refers to any person employed by the Board who is covered by the negotiated agreement between the Board and the Youngstown Education Association.

A teacher, employed under a limited contract and not eligible for consideration for employment under a continuing contract, shall be considered to be reemployed under a limited contract unless the Board, acting on the Superintendent's recommendation, follows the evaluation procedures in compliance with the negotiated agreement and gives the teacher written notice of its intention not to reemploy on or before **June 1st**. It shall be presumed that the teacher has accepted such reemployment unless s/he notifies the Board in writing to the contrary on or before June **15th**.

A teacher, employed under a limited contract and eligible for consideration for employment under a continuing contract, shall receive a continuing contract or an extended limited contract, unless the teacher is non-renewed according to the terms of this policy or as otherwise expressly provided in the collective bargaining agreement.

Teachers, eligible for continuing service status in this District, shall be those properly-licensed teachers, who within the last five (5) years, have taught for at least three (3) years in the District, and, **shall be granted only** to the following:

1. **Any teacher holding a professional, permanent, or life teacher's certificate;**
2. **Any teacher who meets the following conditions:**
 - (a) **The teacher was initially issued a teacher's certificate or educator license prior to January 1, 2011.**
 - (b) **The teacher holds a professional educator license issued under section 3319.22 or 3319.222 or former section 3319.22 of the Revised Code or a senior professional educator license or lead professional educator license issued under section 3319.22 of the Revised Code.**
 - (c) **The teacher has completed the applicable one of the following:**

- (i) **If the teacher did not hold a master's degree at the time of initially receiving a teacher's certificate under former law or an educator license, thirty semester hours of coursework in the area of licensure or in an area related to the teaching field since the initial issuance of such certificate or license, as specified in rules which the State Board of Education shall adopt;**
- (ii) **If the teacher held a master's degree at the time of initially receiving a teacher's certificate under former law or an educator license, six semester hours of graduate coursework in the area of licensure or in an area related to the teaching field since the initial issuance of such certificate or license, as specified in rules which the state board shall adopt.**

3. Any teacher who meets the following conditions:

- (a) **The teacher never held a teacher's certificate and was initially issued an educator license on or after January 1, 2011.**
- (b) **The teacher holds a professional educator license, senior professional educator license, or lead professional educator license issued under section 3319.22 of the Revised Code.**
- (c) **The teacher has held an educator license for at least seven (7) years.**
- (d) **The teacher has completed the applicable one of the following:**
 - (i) **If the teacher did not hold a master's degree at the time of initially receiving an educator license, thirty (30) semester hours of coursework in the area of licensure or in an area related to the teaching field since the initial issuance of that license, as specified in rules which the State Board shall adopt;**
 - (ii) **If the teacher held a master's degree at the time of initially receiving an educator license, six (6) semester hours of graduate coursework in the area of licensure or in an area related to the teaching field since the initial issuance of that license, as specified in rules which the State Board shall adopt.**

Nothing herein shall be construed to void or otherwise affect a continuing contract entered into prior to October 16, 2009.

In addition, those professional staff members who, having attained continuing contract status elsewhere, have served two (2) years in the District, are eligible for continuing contract with the District. However, the Board, upon the recommendation of the Superintendent, may at the time of employment or at any time within such two (2) year period, declare any of the latter teachers eligible.

Upon the recommendation of the Superintendent that a teacher eligible for continuing service status be reemployed, a continuing contract shall be entered into between the Board and the teacher, unless the Board by three-fourths (3/4's) vote of its full membership rejects the recommendation of the Superintendent. If the Board rejects by a three-fourths (3/4's) vote of its full membership the recommendation of the Superintendent that a teacher eligible for continuing service status be reemployed, the Board may declare its intention not to reemploy the teacher. Prior to taking this action, however, the Superintendent shall have the right to recommend an extended limited contract. The Superintendent may recommend reemployment of the teacher, if continuing service status has not previously been attained elsewhere, under an extended limited contract for a term not to exceed two (2) years, provided that written notice of the Superintendent's intention to make such recommendation has been given to the teacher with reasons directed at the professional improvement of the teacher on or before **June 1st**.

If the Superintendent makes no recommendation of an extended limited contract, or if the Board by a three-fourths (3/4's) vote of its full membership rejects said recommendation for an extended limited contract, the Board may non-renew the teacher if it has followed the evaluation procedures in compliance with the negotiated agreement and gives the teacher written notice on or before **June 1st** of its intention not to reemploy the teacher.

If the teacher is granted an extended limited contract, upon any subsequent reemployment of the teacher, only a continuing contract may be entered into with the teacher. A teacher employed under an extended limited contract and eligible for a continuing contract at the expiration of such extended limited contract, shall be deemed reemployed under a continuing contract unless the Board, acting on the Superintendent's recommendation that the teacher not be reemployed, gives the teacher written notice on or before **June 1st** of its intention not to reemploy him/her and has followed the evaluation procedures in compliance with the negotiated agreement. The Superintendent shall require that the teacher, at the time of receipt, provide signed evidence of the time and date of receipt of the notice.

Any teacher receiving written notice of the intention of the Board not to reemploy, may, within ten (10) days of the date of which s/he received the notice, file with the Treasurer of the Board a written demand for a written statement describing the circumstances that led to the recommendation for non-renewal. The Treasurer, within ten (10) days after receipt of a teacher request, shall provide the teacher with the substantive basis for the Board's decision not to reemploy the teacher.

Any teacher receiving a written statement describing the circumstances that led to the recommendation for non-renewal may, within five (5) days of the date on which s/he received the statement, file with the Treasurer of the Board a written demand for a hearing before the Board. The Treasurer of the Board, on behalf of the Board, shall, within ten (10) days of the date on which s/he receives a written demand for a hearing, provide to the teacher a written notice setting forth the time, date, and place of the hearing. The Board shall schedule and conclude the hearing within forty (40) days of the date on which the Treasurer of the Board receives a written demand for a hearing.

Any hearing conducted shall be conducted by a majority of the members of the Board. The hearing shall be held in executive session of the Board unless the Board and the teacher agree to hold the hearing in public. The Superintendent, Assistant Superintendent, the teacher, and any person designated by either party to take a record of the hearing may be present at the hearing. The Board may be represented by counsel and the teacher may be represented by counsel or a designee. The hearing shall include the opportunity for presentation of evidence, confrontation and examination of witnesses, and the review of arguments of both the teacher and the Board. A record of the hearing may be taken by either party at the expense of the party taking the record. Within ten (10) days of the conclusion of the hearing, the Board shall issue to the teacher a written decision containing an order affirming the intention of the Board not to reemploy the teacher or an order vacating the intention not to reemploy and expunging any record of the intention, notice of the intention, and the hearing.

A teacher may appeal an order affirming the intention of the Board not to reemploy the teacher to the Court of Common Pleas.

This policy does not apply to the Superintendent, administrators, teacher supplemental contracts, or teachers employed as substitutes for less than 120 days during the school year.

If non-renewal proceedings are initiated against a professional staff member and/or if a professional staff member resigns under threat of non-renewal or during the course of an investigation which has been initiated by the Board based upon a reasonable belief that the professional staff member has engaged in conduct unbecoming the teaching profession, as defined in Policy 8141, the Superintendent will cause to be filed with the Ohio Department of Education a report, on forms provided by the Department for that purpose, in accordance with the aforementioned policy and as required by law.

R.C. 3319.08, 3319.11, 3319.111, 3319.313

Adopted: 8/24/04

Revised: 3/11/08

Revised:

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 24-13

**RESOLUTION TO APPROVE REVISED POLICY
ON GRADUATION REQUIREMENTS**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3313.60, 3313.603, 3313.61, 3313.611, 3313.614, 3313.647, 3323.08, 3301.07, 0710, 0711 and A.C. 3301-41-01, 3301-13-01 to 07, adopted a policy that awards a diploma to eligible students at a graduation ceremony; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled "Graduation Requirements" at Section 5460 of its policy manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled "Graduation Requirements," a copy of which is attached hereto and made a part hereof by this reference.

GRADUATION REQUIREMENTS

In order to acknowledge each student's successful completion of the instructional program, appropriate to the achievement of District goals and objectives as well as personal proficiency, the Board of Education awards a diploma to eligible students at a graduation ceremony.

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board or who properly completes the goals and objectives specified in his/her individualized education program (IEP) including either the exemption from or the requirement to complete the tests required by the State Board of Education in order to graduate. Each student must demonstrate, unless exempted, at least a proficient level of skill on the tests required by the State Board of Education to graduate.

The requirements for graduation from high school include earning twenty (20) units of credit in grades nine through twelve as established in State law. However, no student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.

Credit may be earned by:

- A. completing coursework;
- B. testing out of or demonstrating mastery of course content; or
- C. pursuing one or more educational options in accordance with the District's Credit Flexibility Program.

Credit may be earned at an accredited postsecondary institution.

Every high school may permit students below the ninth grade to take advanced work for credit. This work shall count toward the graduation requirements if it was both:

- A. taught by a person who possesses a license/certificate issued under State law that is valid for teaching high school;
- B. designated by the Board as meeting the high school curriculum requirements.

Ohio Core Opt-Out

In accordance with the provisions of R.C. 3313.603, a student who enters ninth grade on or after July 1, 2010 and before July 1, 2014 may opt-out of the Ohio core curriculum requirements for graduation if all of the following conditions as specified in law and as detailed in AG 5460C are satisfied.

An honors diploma shall be awarded to any student who meets the established requirements for graduation or the requirements of his/her IEP; attains the applicable scores on the tests required by the State Board of Education to graduate; and meets any additional criteria the State Board may establish.

Commencement exercises will include only those students who have successfully completed requirements for graduation as certified by the high school principal or those students who have been deemed eligible to participate in such exercises in accordance with the terms of their IEP. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation when personal conduct so warrants.

The Board also shall grant a diploma of adult education to all District residents over the age of twenty-one (21) who meet the requirements established by the State Board of Education.

The Superintendent shall establish whatever administrative guidelines are necessary to comply with State rules and regulations.

R.C. 3313.60, 3313.603, 3313.61, 3313.611, 3313.614, 3313.647, 3323.08

R.C. 3301.07, 0710, 0711

A.C. 3301-41-01, 3301-13-01 to 07

Adopted: 8/24/04

Revised: 6/05/07

Revised: 7/27/10

Revised:

**The Public Schools
Youngstown, Ohio
Office of the Treasurer**

RESOLUTION NO. 25-13

**RESOLUTION TO APPROVE REVISED POLICY
ON DISPOSITION OF REAL PROPERTY/ PERSONAL PROPERTY**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3313.17, 3313.40, and 3313.41, adopted a policy regarding the disposition of real property and/or personal property; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled, "Disposition of Real Property/Personal Property" at Section 7300 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled "Disposition Of Real Property/Personal Property," a copy of which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**BOARD OF EDUCATION
YOUNGSTOWN CITY SCHOOL DISTRICT**

**PROPERTY
7300/Page 1 of 6**

DISPOSITION OF REAL PROPERTY/PERSONAL PROPERTY

The Board of Education believes that the efficient administration of the District may require the disposition of real property and/or personal property that is no longer necessary to meet the educational or operational needs of the School District.

All property considered for disposition shall be subjected to a current, outside, professional appraisal prior to the solicitation of offers.

Disposition of Personal Property under \$10,000

Personal property, the value of which does not exceed \$10,000, shall be disposed of by the Superintendent in such a manner as will be in the public interest and benefit the School District (see Policy 7310 and Donation of Real or Personal Property). If the Board decides to trade an item of personal property as a part or an entire consideration on the purchase price of an item of similar personal property, the Board may trade the personal property upon such terms as are agreed upon by the parties.

Disposition of Real Property under \$10,000

Real property, the value of which does not exceed \$10,000, shall be disposed of by the Board in such manner as will be in the public interest and benefit to the School District and may be accomplished by private sale. If the Board identifies a parcel of real property that it determines is needed for school purposes, the Board may, upon majority vote of the members of the Board, acquire such parcel by exchanging its real property for the parcel or using the real property as part or an entire consideration for the purchase price of the identified real property. Any exchange or acquisition shall be made by conveyance executed by the President and the Treasurer of the Board.

Disposition of Personal and Real Property over \$10,000

Property, (personal and real), the value of which exceeds \$10,000, shall be sold at public auction to the highest bidder in accordance with law. The Board may offer real property for sale as an entire tract or in parcels.

- A. Unless the property is being:
1. sold to an exempt entity, as defined in R.C. 3313.41(C);
 2. sold to a community school **or the board of trustees of a college preparatory boarding school**, as set forth in R.C. 3313.41(G); or

3. exchanged for an identified parcel of real property that the Board determines it needs for school purposes or the property is being used as part or an entire consideration for the purchase price of the identified real property, pursuant to R.C. 3313.41(F), or
4. traded as a part or an entire consideration on the purchase price for a similar item of personal property upon such terms as agreed to by the parties to the trade pursuant to R.C. 3313.41(E).

The District shall attempt to sell the property by public auction after giving at least thirty (30) days notice of the auction by publication in a newspaper of general circulation.

- B. If, after the property has been offered once by public auction, no acceptable bids have been received, the District may sell the property at private sale. The following procedures shall apply:

1. Regardless of how the property was offered at public auction, at a private sale, the Board shall, as it considers best, sell real property as an entire tract or in parcels. Personal property shall be sold in either a single lot or several lots.
2. All written offers on real property under consideration for disposition shall be presented as an item on the agenda of a public Board meeting. A preliminary review of offers to purchase or lease shall include: source of offer, date of offer, expiration date of offer, and intended use of property.
3. Written offers shall be referred to the Board Finance Committee for review and recommendations. Offers, when received, will be distributed to the members of the Board.
4. All property considered for lease or sale shall be reviewed by the Board prior to solicitation of offers. The solicitation of offers by the Board shall include an expiration date.
5. The authorized agents of the Board are to review all purchase or lease offers pertaining to sale or lease of property shall be selected by legal counsel and the Superintendent. The Board shall give final approval of all contracts.
6. In consideration of the best interest of the District and of the residents and taxpayers, the Board reserves the right to reject any and all offers at its sole discretion, regardless of price and terms.

7. Potential purchasers or lessees shall demonstrate financial capability to meet the terms and conditions of their purchase or lease offer.
 8. Potential purchasers shall demonstrate reasonable likelihood of obtaining necessary city/township approvals and/or compliance with city/township zoning ordinances.
- C. If the Board decides to dispose of real property that is suitable for use as classroom space, prior to disposing of the property in the manner set forth above, the Board shall first offer the property for sale to the governing authorities of the start-up community schools **and the board of trustees of any college preparatory boarding school** located within the territory of the District.
1. The Board shall offer the property to the community school governing authority **and college preparatory boarding school board of trustees** at a price that is not higher than the appraised fair market value of the property **as determined in an appraisal of the property that is not more than one (1) year old.**
 2. In the event that more than one (1) community school governing authority **or college preparatory boarding school board of trustees** accepts the offer made by the Board, the property shall be sold to the community school governing authority **or board of trustees** that accepted the offer first in time.
 3. The Board may dispose of the property by public auction if no community school governing authority **or college preparatory boarding school board of trustees** accepts the Board's offer within sixty (60) days after such offer.
- D. **Disposition of Unused School Facilities**
1. **"Unused School Facilities" means any real property that has been used by the District for school operations, including but not limited to academic instruction or administration, since July 1, 1998, but has not been used in that capacity for two (2) years.**

2. **The Board shall offer any Unused School Facilities it owns for lease or sale to the governing authority of any community school or the board of trustees of any college preparatory boarding school that is located within the territory of the District.**

At the same time the Board makes the offer to lease or sale, the Board may, but is not required to, offer the property for lease or sale to the governing authority of any community school with plans, as stated in applicable contracts, either to relocate to or add facilities in the District.

3. **Any subsequent lease or sale of the property shall proceed in accordance with law.**
 4. **If no governing authority or board of trustees accepts the offer to lease or buy the property within sixty (60) days after the offer is made, the Board may offer the property for sale or lease to any other permissible entity.**
- E. Further, the Board may dispose of property upon the majority vote of the members of the Board and a concurring vote of the legislative authority of a municipal corporation, declaring that an exchange of real property held by the District for school purposes for real estate held by the municipal corporation for municipal purposes will be mutually beneficial to both the District and the municipal corporation. The exchange may be made by conveyances that are executed by the President and Treasurer of the Board and the Mayor and Clerk of the municipal corporation, respectively.
- F. The Board President and Treasurer shall execute and deliver deeds or other necessary instruments of conveyance to complete any sale or trade under this policy.

Donation of Real or Personal Property

- A. If the School District has property that the Board, by resolution, determines is not needed for school purposes, is obsolete, or is not fit for the use for which it was acquired, the Board may donate the property if the estimated fair market value of such property is \$2,500 or less in the opinion of the Board. The property may only be donated to an eligible 501(c)(3) nonprofit organization located in the State of Ohio and exempt from Federal income taxation under 26 U.S.C. 501(a) and 501(c)(3).

- B. Prior to donating the property, the Board shall adopt a resolution that contains the following:
1. a statement expressing the Board's intent to make unneeded, obsolete or unfit-for-use, District property available to nonprofit organizations;
 2. guidelines and procedures the Board considers to be necessary to implement the donation program;
 3. an indication of whether the District will conduct such program or by a representative under contract with the Board;
 4. contact information for such representative, if the person is known when the resolution is adopted;
 5. a requirement that any nonprofit organization desiring to obtain donated property submit a written notice to the board or its representative that includes:
 - a. evidence that the organization is a nonprofit organization that is located in the State of Ohio and exempt from Federal income taxation;
 - b. a description of its primary purposes;
 - c. a description of the type or types of property the organization needs; and
 - d. the name, address, and telephone number of a person designated by the organization to receive donated property as its agent.
- C. Upon the adoption of the resolution, the Board shall publish at least twice in a newspaper of general circulation, notice of its intent to donate unneeded, obsolete, or unfit-for-use property to eligible nonprofit organizations. The notice must also include a summary of the information provided in the resolution. A similar notice must also be continually posted in the Board's office and on the District's Internet website, if one exists. The second and subsequent notices shall be posted not less than ten (10) and not more than twenty (20) days after the previous notice.

- D. The Board or its representative must maintain a list of:
1. all eligible 501(c)(3) nonprofit organizations that submit a written notice described above; and
 2. a list of all real or personal property that qualifies for the program.

The list of qualifying property must be continually posted at the same locations at which the resolution creating the program must be posted.

1. An item of property on the list must be donated to the 501(c)(3) organization that first declares to the Board or its representative its desire to obtain the item unless the Board previously established in a separate and distinct resolution, a list of eligible 501(c)(3) organizations that are to be given priority for an item's donation.
 2. The resolution giving priority to certain nonprofit organizations must specify the reasons for giving the organizations this priority. Such priority may be given based on a direct relationship between the purposes of the organization and specific purposes of the programs provided or administered by the Board.
- E. Members of the Board must consult with the Ohio Ethics Commission and comply with R.C. Chapters 102 and 2921 when donating property to a 501(c)(3) organization of which a Board member, his/her family member(s) or a business associate(s) of a Board member is a trustee, officer, Board member, or employee.

R.C. 3313.17, 3313.40, 3313.41

Adopted: 8/24/04

Revised: 5/23/06

Revised: 6/22/10

Revised:

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 26-13

**RESOLUTION TO APPROVE REVISED POLICY
ON SCHOOL CALENDAR**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3313.602, 3313.48, 3313.62, 3313.63, 3317.01(B), 3313.482, and 3313.88 adopted a policy recognizing that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the District; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled "School Calendar" at Section 8210 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled "School Calendar," a copy of which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

SCHOOL CALENDAR

The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the District.

The Board shall determine annually the total number of days when the schools will be in session for instructional purposes. For purposes of receiving State-school aid, such days shall be no fewer than 182. Furthermore, the Board requires that an observance be scheduled each year on or about Veterans Day to convey the meaning and significance of that day to all students and staff.

Prior to September 1st of each year, the Board shall approve the contingency plan the Superintendent prepares for the makeup of at least five (5) school days. The plan shall be in accordance with the terms of Ohio law and applicable collective bargaining agreements.

A school day may be waived if the closing is due to disease, epidemic, hazardous weather conditions, **law enforcement emergencies**, damage to a school building, utility failure, or inoperability of school buses or other equipment needed for school operations and the number of allowable calamity days has not been exceeded. Any school days lost in excess of the allowable number of calamity days shall be made up in accordance with the approved contingency plan and as provided in Ohio law.

The contingency plan may provide for making up some or all of the days a school is closed or evacuated by increasing the length of other school days in increments of one-half hour.

A regularly-scheduled school day that is reduced in length by no more than two (2) hours due to hazardous weather conditions may be counted as a full school day for the purpose of meeting the minimum number of school days.

A regularly-scheduled school day that is reduced in length due to a bomb threat, or any other report of an alleged or impending explosion may be made up in one-half (1/2) hour increments added to other school days.

Kindergarten students must be in school at least one and one-half (1 1/2) hours per day in order to meet the State's minimum standards.

**BOARD OF EDUCATION
YOUNGSTOWN CITY SCHOOL DISTRICT**

**OPERATIONS
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Prior to August 1st of each year, the Board may submit to the Ohio Department of Education a plan to require students to access and complete classroom lessons posted on the District's web portal or web site in order to make up a maximum of three (3) calamity days. The plan must include the written consent of the teachers' union, and address all of the requirements set forth in R.C. 3313.88. The plan may also include distribution of "blizzard bags," which are paper copies of the lessons posted online.

The school calendar and the number of days of student instruction shall be consistent with the provisions of the collective bargaining agreements between the District and its employees.

R.C. 3313.602, 3313.48, 3313.62, 3313.63, 3317.01 (B), 3313.482, 3313.88

Adopted: 8/24/04
Revised: 3/24/09
Revised: 6/8/10
Revised: 10/11/11

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 27-13

**RESOLUTION TO APPROVE REVISED POLICY ON RELIGIOUS/PATRIOTIC
CEREMONIES AND OBSERVANCES**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3313.601, 3313.602, 3313.76, 3313.77, 3313.801, 3314.03(A) (11) (h), 20 U.S.C. 4071 et.seq., *Gregoire vs. Centennial School District*, 907 F.2d 1366, (3rd Cir. 1990) and *Lee vs. Weisman*, 505 U.S. 577 (1992) adopted a policy regarding discussions of the United States Supreme Court that it is not the province of a public school to advance or inhibit religious beliefs or practices; and

WHEREAS, the Board caused its policy to be reviewed by the Superintendent and his designees to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled, "Religious/Patriotic Ceremonies and Observances" at Section 8800 of its Policy Manual.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies, approves and adopts the revised policy entitled "Religious/Patriotic Ceremonies and Observances," a copy which is attached hereto and made a part hereof by this reference.

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously-oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.

District staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. The District shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on District property by any party shall be in accordance with Policy 7510 and AG 7510A - Use of District Facilities and Policy 9700 and AG 9700 - Relations with Special Interest Groups.

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting an establishment of religion or prohibiting any student from the free, individual, and voluntary exercise or expression of the student's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when students are free to associate.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

At the discretion of the Superintendent, a moment of silence may be provided each school day for prayer, reflection, or meditation upon a moral, philosophical, or patriotic theme. However, under no circumstances shall students be compelled to participate.

The flag of the United States shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day.

The mottoes of the United States of America ("In God We Trust") and the State of Ohio ("With God, All Things Are Possible") shall be displayed in an appropriate manner in a classroom, auditorium, or cafeteria of a school building of the District, if copies of the mottoes or money to purchase copies of the mottoes are donated to the District. The donated or purchased copies of the mottoes shall meet the applicable design requirements as provided by statute.

Furthermore, the Board requires that an observance be scheduled each year on or about Veterans Day to convey the meaning and significance of that day to all students and staff. The amount of time each school devotes to this observance shall be at least one (1) hour or, in schools that schedule class periods of less than one (1) hour, at least one (1) standard class period. The Board shall determine the specific activities to constitute observance in each school in the District after consulting with the school's administrators.

Districts are required to hold an educational program pertaining to the United States Constitution on September 17th of each year, Constitution Day. Whenever September 17th falls on a Saturday, Sunday, or holiday, the Constitution Day observance shall be held during the preceding or following week.

Professional staff members are authorized to lead students in the Pledge of Allegiance at an appropriate time each school day. However, no student shall be compelled/required to participate in the recitation of the Pledge. Additionally, the Board prohibits the intimidation of any student by other students or staff for the purposes of coercing participation. The Superintendent shall develop administrative guidelines that require any staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and the privacy of a nonparticipating student. Wording of the Pledge of Allegiance as set forth in the United States Code shall not be altered.

R.C. 3313.601, 3313.602, 3313.76, 3313.77, 3313.801, 3314.03(A)(11)(h)
20 U.S.C. 4071 et seq.

Section 111 of Division J of Publ. L 108-447

Gregoire vs. Centennial School District, 907 F.2d 1366, (3rd Cir. 1990)

Lee vs. Weisman, 505 U.S. 577 (1992)

Adopted: 8/24/04

Revised: 12/15/10

Revised:

DEPARTMENT OF HUMAN RESOURCES

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 28-13

**CERTIFICATED PERSONNEL
APPOINTMENTS**

RESOLVED, based upon the recommendation of the Assistant Superintendent of Human Resources, the following appointments are being accepted for the 2012-13 school year:

APPOINTMENTS

APPOINTMENT OF RECALL TEACHER – Limited Contract

Brooke L. Gingher – Guidance Counselor – MA, Step 5 – \$40,345.00 – **\$15,211.74 prorated** – Effective March 1, 2013

Special Education Services – Fund 516 (Purchased Services) - \$35.00 per hour, not to exceed the amount of \$4,975.00 – Effective February 13, 2013 through March 31, 2013:

Carrie Pfeiffer-Fiala

Designation Excellence Camp Fund 536/572 – **Williamson Elementary** – \$22.35 per hour for YEA members, not to exceed 4 hours per week – Effective February 23rd, March 2nd, 9th, 16th, 23rd, April 13th & 20th:

Juanita Bermudez-Rogers
Linda Daniels
Gia Suman

Gifted Identification Assessor Fund 001 – To be used on an as needed basis, \$15.50 per hour for Non-YEA members, not to exceed 25 hours per week:

Janice Lesoganich

Tutor Fund 572 – **East High School** –To be used on an as needed basis, \$15.50 per hour for Non-YEA members, not to exceed 25 hours per week:

Joseph Lampe

Resolution No. 28-13 continued

Tutors Fund 536 – Williamson Elementary - To be used on an as needed basis, \$15.50 per hour for Non-YEA members, not to exceed 25 hours per week:

Evelyn Fisher
Carl Sims

After School Alliance Program Fund 599 913E – Volney Middle School – To be used on an as needed basis, \$15.50 per hour for Non-YEA members, not to exceed 25 hours per week:

Stephanie Jones Data Assistant \$15.50/hr

Spring Sports Supplement Contract Fund 001 – Percentages are based upon teacher base salary per YEA Agreement:

East High School

Eric Pellegrini	Head Baseball Coach	\$3,586.20 (12%)
Jerron Jenkins	Head Boys Track Coach	\$3,586.20 (12%)
Phil House	Asst. Boys Track Coach	\$1,793.10 (6%)
Lawanna Sims	9 th Gr. Boys Track Coach	\$1,793.10 (6%)
Shirley Barnett	Head Girls Track Coach	\$3,586.20 (12%)
Diane Reha	Asst. Girls Track Coach	\$1,793.10 (6%)
Michelle Curry	9 th Gr. Girls Track Coach	\$1,793.10 (6%)

P. Ross Berry

Robert Reynolds	8 th Gr. Boys Track Coach	\$1,793.10 (6%)
Joseph Zappia	8 th Gr. Girls Track Coach	\$1,793.10 (6%)

Wilson

Marcus Higgs	7 th Gr. Boys Track Coach	\$1,793.10 (6%)
Alicia Hill	7 th Gr. Girls Track Coach	\$1,793.10 (6%)

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 29-13

**CERTIFICATED PERSONNEL
LEAVES OF ABSENCE AND RETIREMENTS**

RESOLVED, based upon the recommendation of the Assistant Superintendent of Human Resources, the following leaves of absence and retirements are being accepted for the 2012-13 school year:

LEAVES OF ABSENCE

Administrators

Billie Jo Catanzarite	Medical	Eff. 01/28/13 through 03/11/13
Diane E. Hunsbarger	Medical	Eff. 11/12/12 through 03/04/13

Pursuant to the agreement with Youngstown Education Association (YEA) and the Board of Education, the following leave of absence will be concurrent with the provisions of the Family and Medical Act of 1993:

Carolyn R. Daugherty	Medical	Eff. 11/19/12 through 05/01/13
Kelsie L. Dorr	Ext. Parental	Eff. 01/30/13 through 02/08/13
Becky J. Meredith	Medical	Eff. 03/01/13 through 06/07/13
Sharon R. Ragan	Medical	Eff. 02/11/13 through 05/10/13

For the record: Lisa M. Kokoski has returned to work on February 11, 2013 from her Parental Leave of Absence.

RETIREMENTS

Christine M. Maga	Retirement	Eff. 03/01/13
Glenda L. West	Retirement	Eff. 07/01/13
JoAnn York	Retirement	Eff. 03/15/13

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis
Nays: None

Motion carried.

2/12/13

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 30-13

**CERTIFICATED PERSONNEL
APPOINTMENTS OF SUBSTITUTE TEACHER**

RESOLVED, based upon the recommendation of the Assistant Superintendent of Human Resources, the following appointments of substitute teachers are being recommended for the 2012-13 school year:

APPOINTMENTS

Substitute Teachers (Fund 001) – To be used on an “as needed basis” not to exceed 25 hours per week as follows:

- \$ 70.00 a day or from day 1 to day 10 if in the same position
- \$ 75.00 a day from day 11 to day 60 if in the same position
- \$162.42 a day from day 61 to day 184 if in the same position

Fernando DeChellis Tracy Patton Patrice Robinson-Norwood

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 31-13

**CLASSIFIED PERSONNEL
APPOINTMENTS**

RESOLVED, based upon the recommendation of the Assistant Superintendent of Human Resources, the following appointments are being accepted for the 2012-13 school year:

APPOINTMENTS

Monitorial Aide - (Fund-006) - \$7.85 per hour; to be used on an “as needed” basis; not to exceed 25 hours per week:

Daccine Benson

Substitute Educational Assistant - (Fund-001) -\$7.85 per hour; to be used on an “as needed” basis, not to exceed 25 hours per week:

Ashley Henry

Parent Liaison - (Fund 572) - \$7.85 per hour, not to exceed 25 hours per week:

Jill McQuillan

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

**The Public Schools
Youngstown, Ohio
Office of the Superintendent**

RESOLUTION NO. 32-13

**CLASSIFIED PERSONNEL
RETIREMENTS**

RESOLVED, based upon the recommendation of the Assistant Superintendent of Human Resources, the following retirements are being accepted for the 2012-13 school year:

RETIREMENTS

Constance R. Averhart	Nurse	Eff. 05/31/13
Robert Eshenbaugh	Security Guard	Eff. 01/01/13
Cynthia B. Switka	Educational Assistant	Eff. 04/01/13

Ms. Haire-Ellis moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

2/12/13

Youngstown City School District

20 West Wood Street . P.O. Box 550 . Youngstown, Ohio 44501-0550

Office of the Treasurer

Phone: (330) 744-6996 – Fax: (330) 744-5290

The Board of Education of Youngstown City School District, Ohio, met in regular session on February 12, 2013, commencing at 6:00 p.m., in the Board Room at the I.L. Ward Building, 20 West Wood Street, Youngstown, Ohio.

The following is a portion of said meeting.

Mr. Atkinson moved, seconded by Ms. Haire-Ellis that the Recommendation to Approve a Proposed Resolution of a Special Education Due Process Matter Reviewed by the Board be adopted. On roll call vote the results were as follows:

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays: None

Motion carried.

CERTIFICATION

I, Brian Rella, do hereby certify that the foregoing is a true and correct transcript of the roll call vote pertaining to the Recommendation to Approve a Proposed Resolution of a Special Education Due Process Matter Reviewed by the Board, adopted by said Board of Education on the 12th day of February 2013, and as recorded in the record of the proceedings of said Board.

WITNESS my signature this 4th day of March 2013.

Interim Treasurer

PRESENTATION

William Morvay, chief of security, read into the record Resolution No. 17-13 recognizing Malik Mostella and John Spencer, Jr., East High School security guards and coaches for their outstanding performances as positive role models for students.

Mr. Atkinson noted that the Mahoning County Service Center recognized Lock P. Beachum, Sr. for his 15 years of dedicated service to the Youngstown City School District.

EXECUTIVE SESSION

At 6:36 p.m. Ms. Haire-Ellis moved to reconvene executive session. It was seconded by Mr. Beachum. Mr. Atkinson noted that there the regular portion of the meeting would not reconvene following executive session. On roll call vote the results were as follows:

Ayes: Kimble, Murphy, Atkinson, Beachum, Haire-Ellis

Nays:

Motion carried.

President

Treasurer