

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

20 West Wood Street

February 9, 2010

The Youngstown Board of Education met in regular session at the I.L. Ward Building on February 9, 2010. President Anthony Catale called the meeting to order at 5:30 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: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Members absent: None

STUDENT BOARD MEMBERS

Members present: Bennett, Cook
Members absent: Vanwright

Board members discussed agenda items.

CITIZEN PARTICIPATION

President Catale called for citizen participation. Louis Muhammad addressed the Board.

EXECUTIVE SESSION

At 6:12 p.m. Mr. Beachum moved, seconded by Mr. Murphy that board members adjourn to executive session for the purpose of discussing: 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; and preparing for, conducting, or reviewing negotiations or bargaining sessions with employees. On roll call vote the results were as follows:

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Board members came out of executive session at 7:05 p.m.
The regular portion of the meeting was reconvened in the boardroom at 7:15 p.m.

APPROVAL OF AGENDA

As the first item of business, Mr. Catale called for a motion approving the agenda. Mr. Beachum moved that the agenda be approved with any necessary corrections. It was seconded by Ms. Drennen. On roll call vote the results were as follows:

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried, and the agenda was approved with any necessary corrections.

APPROVAL OF MINUTES

Mr. Beachum moved, seconded by Mr. Murphy that the minutes of the organizational meeting of January 5, 2010; the regular board meetings of January 12, 2010 and January 26, 2010 along with the minutes of the special meeting of January 11, 2010 be approved as presented. On roll call vote the results were as follows:

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried, and minutes were approved as presented.

COMMUNICATIONS

There were no oral or written communications.

CITIZEN PARTICIPATION

President Catale called for citizen participation. Joe Louis Teague and Jimma McWilson addressed the Board.

COMMITTEE REPORTS

Rachel Hanni, Certificated Personnel/Community Relations Speakers Bureau Committee; Andrea Mahone, Legal/Legislative/Policy Committee; Lock P. Beachum, Sr., Finance/Accounting/Investments Committee; Richard Atkinson, Extra Curricular/Sports Committee and June Drennen, Curriculum/Career Tech Committee recommended passage of various resolutions and noted future committee meeting dates.

STUDENT BOARD MEMBERS

In the absence of Youngstown Early College student board member D'Treal Bennett, Kaitlyn Cook presented information on the various activities taking place at Youngstown Early College and Chaney High School.

FACILITIES REPORT

Mr. DeNiro, assistant superintendent of school business affairs noted that a meeting to discuss the closing of the OSFC construction project was held on February 5th. and that the Wilson Middle School building project is progressing.

BOARD PRESIDENT'S REPORT

President Catale noted that a letter was mailed to auditor of state, Mary Taylor, requesting a new Performance Audit. He further noted that a letter to state superintendent, Deborah Delisle addressing his recommendation for members of the Academic Distress Commission had also been mailed. His recommendations are Kathy Garcia and Betty Greene.

EXECUTIVE REPORTS

Superintendent Webb commented on the following:

- Meeting with congressman Tim Ryan at YSU
- Funding to bring Linda Lantieri to the area regarding social and emotional issues
- Community meeting rescheduled for February 22nd Choffin at 9:00 and 6:00 at Chaney
- Commission meeting on February 11th
- Congratulations to Mattie Bell on beginning her 50th year of teaching
- Odyssey incident

NEW BUSINESS

CONSENT AGENDA

Mr. Beachum offered a motion to place Resolution No. 18-10 through Resolution No. 34-10 with a separate vote on Resolutions No. 19-10 and 20-10 on a Consent Agenda. Mr. Atkinson seconded the motion. Mr. Beachum withdrew the motion due to a request to include Resolution No. 18-10 to also be voted on separately. Mr. Atkinson withdrew his second, and the motion was removed from the floor

Mr. Beachum then offered a motion to place Resolution No. 21-10 through Resolution No. 34-10 with a separate vote on Resolutions 18-10, 19-10 and 20-10. It was seconded by Ms. Hanni, and on roll call vote the results were as follows:

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.

**The Public Schools
Youngstown, Ohio
Board of Education**

RESOLUTION NO. 18-10

**A RESOLUTION AMENDING THE SERVICE CONTRACT
FOR TRANSPORTATION OF STUDENTS WITH DISABILITIES
TO COMMUNITY BUS SERVICES, INC.**

WHEREAS, the Board of Education of the Youngstown City School District requested proposals for providing equipment, software, and support services in connection with school bus operations; and

WHEREAS, proposals were received and reviewed by the District and the Business Committee; and

WHEREAS, a contract is in place Community Bus Services, Inc. for the transportation of students with disabilities; and

WHEREAS, Community Bus Services, Inc. has responded to the District's request for proposal and has been deemed the best possible bidder to provide the support services in connection with our school bus operations.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District, Mahoning County, Ohio, does approve amending the current contract with Community Services, Inc. to include the service of providing the District with equipment, software and support services for our school bus operations in conjunction with extending the current contract for special needs transportation to June 30, 2016 (see copy attached).

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Murphy, Beachum, Catale

Nays: Mahone, Atkinson

Motion carried.

2/9/10

**The Public Schools
Youngstown, Ohio
The Board of Education**

RESOLUTION NO. 19-10

**RESOLUTION TO APPROVE REVISED POLICY
ON EVALUATION OF THE SUPERINTENDENT**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3319.01, adopted a policy regarding evaluation of the superintendent; and

WHEREAS, the Board has caused its policy to be reviewed by the Board of Education's Legal/Legislative Policy Committee to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Board of Education's Legal/Legislative Policy Committee has recommended that the Board adopt the revised policy entitled, "Evaluation of The Superintendent" at Section 1240 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, "Evaluation of The Superintendent," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Ms. Drennen that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

EVALUATION OF THE SUPERINTENDENT

The Board of Education believes it is essential that it evaluate the Superintendent's performance **annually** in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership **with respect to the Board's statutory authority to evaluate the Superintendent. Ohio Revised Code § 3319.01 provides the following:**

“Each board shall adopt procedures for the evaluation of its superintendent and shall evaluate its superintendent in accordance with those procedures. An evaluation based upon such procedures shall be considered by the board in deciding whether to renew the superintendent's contract. The establishment of an evaluation procedure shall not create an expectancy of continued employment. Nothing in this section shall prevent a board from making the final determination regarding the renewal or failure to renew a superintendent's contract.”

The Board shall annually evaluate the performance of the Superintendent. (See Policy 1110.) Such evaluation shall include an assessment of:

- A. The progress toward both the educational goals **and the operational goals** of the District;
- B. The working relationship between the Board and the Superintendent.

Such assessments will be based on defined quality expectations developed by the Board for each criterion being assessed.

During each school year, the Board President shall schedule a Board retreat to be held no later than September 30 for the Board to review with the Superintendent the Board's evaluation of the Superintendent's performance of the prior school year and its measurable and reasonable goals and expectations for the current school year.

In preparation for such retreat, the following schedule of planning shall apply each year:

Annual Evaluation

- A. **On or before the second Tuesday in September of each year, the Board's Committee on Certificated Personnel, Community Relations and Speaker's Bureau (“Committee”) shall distribute to all Board members copies of the Board's goals set for the Superintendent for the prior school year, together with the Board's evaluation instrument to be utilized by each Board member to rate the Superintendent's performance for the prior school year.**

- B. On or before the fourth Tuesday in September of each year, the Committee shall collect from each Board member the completed evaluation instrument prepared by each Board member for the prior school year. The Committee shall then tabulate the overall evaluation of the Superintendent by accumulating the ratings provided by each Board member into one overall evaluation of the Superintendent applicable to the Superintendent's performance for the prior school year. Such overall evaluation shall be subject to review and approval by the Board. The Board shall present to the Superintendent on or before September 30 of each year a copy of such Board-approved overall evaluation. The overall evaluation shall be also placed in the Superintendent's personnel file in the Department of Human Resources on or before such September 30.**

Annual Goals and Expectations

- A. On or before the second Tuesday in September of each year, the Committee shall recommend in writing to the Board measurable goals and expectations to assist the Board in evaluating next year the Superintendent's performance during the current school year.**
- B. On or before the second Tuesday in September of each year, the Superintendent shall recommend in writing to the Board measurable goals and expectations to assist the Board in evaluating next year the Superintendent's performance during the current school year.**
- C. On or before the fourth Tuesday in September of each year, the Board shall review both the recommended measurable goals and expectations for the Superintendent submitted by the Committee and by the Superintendent, and shall adopt such measurable goals and expectations in writing as the Board deems appropriate by meshing the recommendations of the Committee and of the Superintendent. Such measurable goals and expectations shall then be presented in writing to the Superintendent by September 30 of each year.**
- D. Subsequently during the school year, the Board shall conduct a mid-school year retreat with the Superintendent to review and discuss the measurable goals and expectations for that school year and to preliminarily review the Superintendent's performance in accordance with those goals and expectations.**
- E. Then, during the subsequent September, as provided in the "Annual Evaluation" section of this policy hereinabove, the Superintendent shall be evaluated for the immediately preceding school year in accordance with the measurable goals and expectations established during September of that preceding school year for that school year.**

As an outcome of the evaluation of the Superintendent's performance, the Board should be prepared to judge the advisability of **retaining employment** of the Superintendent and be prepared to:

- a. Determine the Superintendent's salary;
- b. Identify strengths and weaknesses in the operation of the District and determine a means by which weaknesses can be reduced and strengths are maintained;
- c. Establish specific objectives, the achievement of which will advance the District toward its goals;
- d. Improve its own performance as the public body ultimately charged with the educational responsibility of the District.

R.C. 3319.01
Adopted: 8/24/04
Revised

**The Public Schools
Youngstown, Ohio
The Board of Education**

RESOLUTION NO. 20-10

**RESOLUTION TO APPROVE REPLACEMENT POLICY
ON EVALUATION OF THE TREASURER**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C.3313.22, adopted a policy regarding the evaluation of the treasurer; and

WHEREAS, the Board has caused its policy to be reviewed by the Board of Education's Legal/Legislative Policy Committee to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Board of Education's Legal/Legislative Policy Committee has recommended that the Board adopt the replacement policy entitled, "Evaluation of The Treasurer" at Section 1330 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 replacement policy entitled, "Evaluation of The Treasurer," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Ms. Drennen that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

EVALUATION OF THE TREASURER

The Board of Education believes it is essential that it evaluate the Treasurer's performance annually in order to assist both the Board and the Treasurer in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership with respect to the Board's statutory authority to evaluate the Treasurer. Ohio Revised Code § 3313.22(D) provides the following:

“Each board shall adopt procedures for the evaluation of its treasurer and shall evaluate its treasurer in accordance with those procedures. The board shall consider an evaluation based upon those procedures in deciding whether to renew the treasurer's contract. The establishment of an evaluation procedure shall not create an expectancy of continued employment. Nothing in this division shall prevent a board from making the final determination regarding the renewal or non-renewal of a treasurer's contract.”

The Board shall annually evaluate the performance of the Treasurer. (See Policy 1110.) Such evaluation shall include an assessment of:

- A. The progress toward the established financial accountability goals of the District;
- B. The working relationship between the Board and the Treasurer.

Such assessments will be based on defined quality expectations developed by the Board for each criterion being assessed.

During each school year, the Board President shall schedule a Board retreat to be held no later than September 30 for the Board to review with the Treasurer the Board's evaluation of the Treasurer's performance of the prior school year and its measurable and reasonable goals and expectations for the current school year.

In preparation for such retreat, the following schedule of planning shall apply each year:

Annual Evaluation

- A. On or before the second Tuesday in September of each year, the Board's Committee on Certificated Personnel, Community Relations and Speaker's Bureau (“Committee”) shall distribute to all Board members copies of the Board's goals set for the Treasurer for the prior school year, together with the Board's evaluation instrument to be utilized by each Board member to rate the Treasurer's performance for the prior school year.

- B. On or before the fourth Tuesday in September of each year, the Committee shall collect from each Board member the completed evaluation instrument prepared by each Board member for the prior school year. The Committee shall then tabulate the overall evaluation of the Treasurer by accumulating the ratings provided by each Board member into one overall evaluation of the Treasurer applicable to the Treasurer's performance for the prior school year. Such overall evaluation shall be subject to review and approval by the Board. The Board shall present to the Treasurer on or before September 30 of each year a copy of such Board-approved overall evaluation. The overall evaluation shall be also placed in the Treasurer's personnel file in the Department of Human Resources on or before such September 30.**

Annual Goals and Expectations

- A. On or before the second Tuesday in September of each year, the Committee shall recommend in writing to the Board measurable goals and expectations to assist the Board in evaluating next year the Treasurer's performance during the current school year.**
- B. On or before the second Tuesday in September of each year, the Treasurer shall recommend in writing to the Board measurable goals and expectations to assist the Board in evaluating next year the Treasurer's performance during the current school year.**
- C. On or before the fourth Tuesday in September of each year, the Board shall review both the recommended measurable goals and expectations for the Treasurer submitted by the Committee and by the Treasurer, and shall adopt such measurable goals and expectations in writing as the Board deems appropriate by meshing the recommendations of the Committee and of the Treasurer. Such measurable goals and expectations shall then be presented in writing to the Treasurer by September 30 of each year.**
- D. Subsequently during the school year, the Board shall conduct a mid-school year retreat with the Treasurer to review and discuss the measurable goals and expectations for that school year and to preliminarily review the Treasurer's performance in accordance with those goals and expectations.**
- E. Then, during the subsequent September, as provided in the "Annual Evaluation" section of this policy hereinabove, the Treasurer shall be evaluated for the immediately preceding year in accordance with the measurable goals and expectations established during September of that preceding school year for that school year.**

As an outcome of the evaluation of the Treasurer's performance, the Board should be prepared to judge the advisability of retaining employment of the Treasurer and be prepared to:

- a. Determine the Treasurer's salary;**
- b. Identify strengths and weaknesses in the operation of the District and determine a means by which weaknesses can be reduced and strengths are maintained;**
- c. Establish specific objectives, the achievement of which will advance the District toward its goals;**
- d. Improve its own performance as the public body ultimately charged with the educational responsibility of the District.**

R.C. 3313.22

Adopted: 8/24/04

Revised 5/22/07

Mr. Catale then entertained a motion to adopt the Consent Agenda. Mr. Beachum moved adoption of the Consent Agenda, seconded by Mr. Murphy which included Resolution No. 21-10 through Resolution No. 34-10 summarized as follows:

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.

**The Public Schools
Youngstown, Ohio
The Board of Education**

RESOLUTION NO. 21-10

**RESOLUTION TO APPROVE REVISED POLICY
ON NON-REEMPLOYMENT OF THE TREASURER**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C.3313.22, 3319.16, 3319.31, 3319.313, 3319.39 and A.C. 3301-73-21, adopted a policy regarding non-reemployment of the treasurer; and

WHEREAS, the Board has caused its policy to be reviewed by the Board of Education's Legal/Legislative Policy Committee to obtain a recommendation as to updating such policy with revisions as are necessary and appropriate; and

WHEREAS, the Board of Education's Legal/Legislative Policy Committee has recommended that the Board adopt the revised policy entitled, "Non-Reemployment of the Treasurer" at Section 1340 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-Reemployment of the Treasurer," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.

2/9/10

NON-REEMPLOYMENT OF THE TREASURER

The Board of Education has an obligation to the citizens of this District to employ the professional leadership best trained and equipped to meet the educational needs of their children. It shall meet that obligation by retaining only the best qualified person as Treasurer for this District.

The Board may, at any regular or special meeting held during the period beginning on the first day of January of the calendar year preceding the year the Treasurer's contract of employment expires and ending on the first day of March of the year the contract expires, re-employ the Treasurer for a succeeding term not longer than five (5) years, beginning the first day of August immediately following the expiration of the Treasurer's current term of employment and ending July 31st.

At the expiration of a Treasurer's current term of employment, the Treasurer is deemed re-employed for a term of one (1) year at the same salary plus any increment that the Board may authorize, unless the Board, on or before March 1st of the year in which his/her contract of employment expires, either re-employs the Treasurer for a succeeding term or gives to the Treasurer written notice of its intent not to re-employ the Treasurer.

Except for a Treasurer who is automatically disqualified from service for failing to hold a valid Treasurer's license and is not considered an "otherwise qualified Treasurer", the termination of the Treasurer's contract shall be in accordance with R.C. 3319.16 and may be terminated for ~~gross inefficiency or immorality; for willful and persistent violations of reasonable regulations of the Board of Education; or for other~~ good and just cause.

Reporting Professional Misconduct

Consistent with Policy 8141 and State law, the Board and/or the Superintendent will file a report to the Ohio Department of Education, on forms provided for that purpose, matters of professional misconduct on the part of the Treasurer, as a licensed professional, including a conviction of the Treasurer of certain enumerated crimes and/or conduct which is determined to be unbecoming to the teaching profession. Reports of any investigation regarding whether or not the Treasurer has committed an act or offense for which the Board is required to make a report to the Ohio Department of Education shall be kept in the personnel file of the Treasurer. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting the Treasurer's license, the report(s) of any investigation will be moved to a separate public file.

R.C. 3313.22, 3319.16, 3319.31, 3319.313, 3319.39
A.C. 3301-73-21

Adopted: 2/21/08
Revised:

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

RESOLUTION NO. 22-10

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY, VILLAGE OR LOCAL BOARD OF EDUCATION)

Revised Code Sections 5705.34-5705.35

The Board of Education of the [Youngstown](#) School District, Mahoning County, Ohio, met in regular session on the 9th day of February 2010, at the office of the Board of Education, 20 West Wood Street with the following members present:

Ms. Drennen

Mr. Atkinson

Ms. Hanni

Mr. Beachum

Ms. Mahone

Mr. Catale

Mr. Murphy

Mr. Beachum moved the adoption of the following Resolution:

WHEREAS, this Board of Education in accordance with the provisions of law has previously adopted a Tax Budget or has been granted the authority by the Mahoning County Budget Commission to waive this requirement for the next succeeding fiscal year commencing July 1, 2010; and

WHEREAS, the Budget Commission of Mahoning County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation;

Resolution No. 22-10 continued

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Youngstown School District, Mahoning County, Ohio, that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and

BE IT FURTHER RESOLVED, that there be and is hereby levied on the tax duplicate of said School District the rate of each tax necessary to be levied within and without the ten mill limitation; and

BE IT FURTHER RESOLVED, that the Treasurer of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Murphy seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Ms. Drennen	Yes	Mr. Atkinson	Yes
Ms. Hanni	Yes	Mr. Beachum	Yes
Ms. Mahone	Yes	Mr. Catale	Yes
Mr. Murphy	Yes		

Adopted the 9th day of February 2010

Treasurer of the Board of Education of the
Youngstown School District, Mahoning County, Ohio

CERTIFICATE OF COPY

ORIGINAL ON FILE

The State of Ohio, Mahoning County, ss.

I, William A. Johnson, Treasurer of the Board of Education of the Youngstown City School District in said County, and in whose custody the Files and Records of said Board are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original minutes of the Regular Meeting of the Board of Education held on February 9, 2010 at the office of the Board of Education, 20 West Wood Street now on file with said Board, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature this 10th day of February 2010.

Treasurer of the Board of Education of the
Youngstown School District, Mahoning County, Ohio

_____ A copy of this resolution must be certified to the Mahoning County Auditor within the time prescribed by section 5705.34 of the Ohio Revised Code, or at such a later date as may be approved by the Board of tax appeals.

Filed _____, 2010

Mike Sciortino, County Auditor

By _____ Deputy Auditor

2/9/10

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

RESOLUTION NO. 23-10

**RESOLUTION TO ADOPT REVISED POLICY
ON TERMINATION AND RESIGNATION
(ADMINISTRATION)**

WHEREAS, the Board of Education of the Youngstown City School District desires to abide by due process, statutory procedures, and any applicable terms of an administrator's contract regarding termination and resignation; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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, "Termination and Resignation" (Administration) at Section 1541 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, "Termination and Resignation" (Administration), a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

TERMINATION AND RESIGNATION

Termination

The employment contract of an administrator may be suspended and/or terminated, upon a majority vote of the Board of Education, for good and just cause including disclosing a question to a student on a State-mandated *assessment*. In such cases, the Board shall abide by due process, statutory procedures, and any applicable terms of the administrator's employment contract.

Resignation

An administrator may resign in accordance with law and any applicable terms of his/her employment contract.

Reporting Professional Misconduct

Consistent with Policy 8141 and State law, the Board and/or the Superintendent will file a report to the Ohio Department of Education, on forms provided by the Department for that purpose, matters of professional misconduct on the part of licensed professional administrators, including a conviction of the administrator of certain enumerated crimes and/or conduct which is determined to be unbecoming to the teaching profession. Reports of any investigation regarding whether or not a licensed professional administrator has committed an act or offense for which the Board is required to make a report to the Ohio Department of Education shall be kept in the personnel file of the administrator. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting that licensed professional staff administrator's license or permit, the report(s) of any investigation will be moved to a separate public file.

R.C. 3319.02, 3319.15, 3319.151, 3319.16, 3319.161, 3319.31, 3319.313, 3319.39
A.C. 3301-73-21

Adopted: 2/21/08
Revised:

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

RESOLUTION NO. 24-10

**RESOLUTION TO APPROVE REVISED POLICY
ON TERMINATION AND RESIGNATION
(PROFESSIONAL STAFF)**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3319.02, 3319.15, 3319.151, 3319.16, 3319.161, 3319.31, 3319.313, 3319.39 and A.C. 3301-73-21, adopted a policy to abide by due process, statutory procedures, and the applicable terms set forth in any collectively-bargained agreement for professional staff regarding termination and resignation; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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, "Termination and Resignation" (Professional Staff) at Section 3140 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, "Termination and Resignation" (Professional Staff), a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.

2/9/10

TERMINATION AND RESIGNATION

TERMINATION

The employment contract of a professional staff member may be suspended and/or terminated in accordance with law, upon a majority vote of the Board of Education, for good and just cause, including disclosing a question to a student on a State-mandated **assessment**. In such cases, the Board shall abide by due process, statutory procedures, and the applicable terms set forth in any collectively-bargained agreement.

RESIGNATION

A professional staff member may resign in accordance with law and the applicable terms of any collectively-bargained agreement.

A resignation, once accepted by the Board, may not then be rescinded.

Reporting Professional Misconduct

The Superintendent (or Board President where either the Superintendent and/or Treasurer has engaged in misconduct) will file a report to the Ohio Department of Education, on forms provided by the Department for that purpose, matters of professional misconduct on the part of licensed professional staff members in those specific circumstances set forth in State law and Policy 8141, including a conviction of the professional staff member of certain enumerated crimes and/or for conduct which is determined to be unbecoming to the teaching profession in conjunction with the non-renewal or termination of a professional staff member, or resignation by a professional staff member under threat of same and/or during the course of an investigation of conduct reasonably determined to be unbecoming the teaching profession.

Reports of any investigation regarding whether or not a professional staff member has committed an act or offense for which the Superintendent or Board President is required to make a report to the Ohio Department of Education shall be kept in the personnel file of the professional staff member. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting that professional staff member's license or permit, the report(s) of any investigation will be moved to a separate public file.

R.C. 3319.02, 3319.15, 3319.151, 3319.16, 3319.161, 3319.31, 3319.313

R.C. 3319.39

A.C. 3301-73-21

Adopted: 8/24/04

Revised: 2/21/08

Revised: 3/24/09

Revised:

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

RESOLUTION NO. 25-10

**RESOLUTION TO APPROVE REVISED POLICY
ON CRIMINAL HISTORY RECORD CHECK
(PROFESSIONAL STAFF)**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 109.57, 109.572, 2950, 2953.32, 3301.541, 3319.39, and 3319.40, adopted a policy that requires a criminal background check of each applicant the Superintendent recommends for employment on the District's professional staff; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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, "Criminal History Record Check" at Section 3121 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, "Criminal History Record Check," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

CRIMINAL HISTORY RECORD CHECK

In accordance with State law, the Board of Education requires a criminal background check of each applicant the Superintendent recommends for employment on the District's professional staff as well as for current employees on a periodic basis. This requirement includes all substitutes and persons employed on a part-time basis such as coaches or activity supervisors. In addition, all professional staff members with a license, certificate, or permit issued by the Ohio Department of Education must undergo a criminal background check **as prescribed by law**. Such background check is not otherwise required of any currently-employed staff member who is a candidate for another position within the District.

The Superintendent shall establish administrative guidelines which will require a records check that complies with the law through the Bureau of Criminal Identification and Investigation (BCII) and through Federal Bureau of Investigation (FBI) records.

The guidelines established by the Superintendent shall also direct that any information and records obtained from such inquiries are confidential and shall not be released or disseminated.

Should it be necessary to employ a person to maintain continuity of the program, prior to receipt of the criminal history record, the Superintendent may employ the person on a provisional basis until the report is received.

Effect of Guilty Plea and/or Conviction of Enumerated Crimes

Professional staff members determined by virtue of a criminal records check to have pled guilty to or have been convicted of any offense enumerated under R.C. 3319.39(B)(1), including a judicial finding for intervention in lieu of conviction and/or participation in a pre-trial diversion program relating to any of the offenses listed therein, or who are otherwise determined to have engaged in conduct unbecoming the teaching profession under certain specific circumstances set forth in Policy 8141, are subject to mandatory State reporting requirements in addition to the initiation of an action by the Board to terminate their employment.

Suspension from Duties Involving Care, Custody or Control of a Child

In accordance with Policy 3138 and State law, the Superintendent shall immediately suspend a licensed professional staff member from all duties that require the care, custody, or control of a child during any pending criminal action for which that staff member has been arrested, summoned and/or indicted for any crimes set forth in R.C. 3319.39(C). A comprehensive list of the crimes which must result in a suspension are set forth in AG 3121.

R.C. 109.57, 109.572, 2950, 2953.32, 3301.541, 3319.291, 3319.39, 3319.40

Adopted: 8/24/04

Revised: 4/22/08

Revised: 12/16/08

Revised:

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

RESOLUTION NO. 26-10

**RESOLUTION TO APPROVE REPLACEMENT POLICY
ON PARENT AND FAMILY INVOLVEMENT**

WHEREAS, the Board of Education of the Youngstown City School District, adopted a policy recognizing that student learning is more likely to occur when there is an effective partnership between school and the student's parents and family; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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 replacement policy entitled, "Parent and Family Involvement" at Section 2111 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 replacement policy entitled, "Parent and Family Involvement," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

PARENT AND FAMILY INVOLVEMENT

The Board of Education recognizes and values parents and families as children’s first teachers and decision-makers in education. The Board believes that student learning is more likely to occur when there is an effective partnership between the school and the student’s parents and family. Such a partnership between the home and school and greater involvement of parents in the education of their children generally result in higher academic achievement, improved student behavior, and reduced absenteeism.

In accordance with statute and the State Board of Education Parent and Family Involvement Policy, use of the term “families” is used in order to include children’s primary caregivers, who are not their biological parents, such as foster caregivers, grandparents, and other family members.

In cultivating partnerships with families and communities, the Board is committed to the following:

A. Relationships with Families

- cultivating school environments that are welcoming, supportive, and student-centered; 4
- providing professional development for school staff that helps build partnerships between families and schools; 2, 3, 4
- providing family activities that relate to various cultures, languages, practices, and customs, and bridge economic and cultural barriers; 2, 3
- providing coordination, technical support and other support to assist schools in planning and implementing family involvement activities. 3

B. Effective Communication

- providing information to families to support the proper health, safety, and well-being of their children;
- providing information to families about school policies, procedures, programs, and activities; 2, 3, 4

- promoting regular and open communication between school personnel and students' family members; 1,4
- communicating with families in a format and language that is understandable, to the extent practicable; 2,3
- providing information and involving families in monitoring student progress; 3
- providing families with timely and meaningful information regarding Ohio's academic standards, State and local assessments, and pertinent legal provisions; 2,3,4
- preparing families to be involved in meaningful discussions and meetings with school staff. 2,3,4

C. Volunteer Opportunities

- providing volunteer opportunities for families to support their children's school activities; 1,3
- supporting other needs, such as transportation and child care, to enable families to participate in school-sponsored family involvement events. 3,4

D. Learning at Home

- offering training and resources to help families learn strategies and skills to support at-home learning and success in school; 1,2,3,4
- working with families to establish learning goals and help their children accomplish these goals; 1
- helping families to provide a school and home environment that encourages learning and extends learning at home. 1,2,4

E. Involving Families in Decision Making and Advocacy

- involving families as partners in the process of school review and continuous improvement planning; 3,4

- **involving families in the development of its District-wide parent involvement policy and plan, and distributing the policy and plan to families.** ^{2,3,4}

F. Collaborating with the Community

- **building constructive partnerships and connecting families with community-based programs and other community resources;** ^{2,3,4}
- **coordinating and integrating family involvement programs and activities with District initiatives and community-based program that encourage and support families' participation in their children's education, growth, and development.** ^{2,3,4}

Implementation

The Superintendent will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the District's continuous improvement, and individual school improvement plans. The plan will provide for annual evaluation, with the involvement of parents and families, of the plan's effectiveness and identification of barriers to participation by parents and families. Evaluation findings will be used in the annual review of the Parent and Family Involvement policy and to improve the effectiveness of the District plan.

¹**Indicates R.C. 3312.472 State Requirements**

²**Indicates IDEA 2004 Section 650 & 644 Parent Involvement Requirements**

³**Indicates Title I Section 1118 Parent Involvement Requirements**

⁴**Indicates State Board Parent and Family Involvement Policy Recommendations**

R.C. 3313.472

Adopted: 8/24/04

Revised: 5/12/09

Revised:

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

RESOLUTION NO. 27-10

**RESOLUTION TO APPROVE REVISED POLICY
ON CORPORAL PUNISHMENT**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 2919.22(B), 3313.20(B) and 3319.41, adopted a policy regarding corporal punishment; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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, "Corporal Punishment" at Section 5630 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, "Corporal Punishment," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.

2/9/10

CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the Board of Education **does not** condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to removal of the student from the classroom or school through suspension or expulsion procedures.

Professional staff as well as classified staff, **may** within the scope of their employment, use and apply reasonable **and necessary** force and restraint to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon or within the control of the student, in self-defense, or for the protection of persons or property.

Corporal punishment *is* not permitted. If any employee threatens to inflict, inflicts, or causes to inflict unnecessary, unreasonable, irrational, or inappropriate force upon a student, s/he may be subject to discipline by this Board and possibly charges of child abuse as well. This prohibition applies as well to volunteers and those with whom the District contracts for services.

R.C. 2919.22(B), 3313.20(B), 3319.41

Adopted: 8/24/04

Revised:

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

RESOLUTION NO. 28-10

**RESOLUTION TO APPROVE REVISED POLICY
ON HYGIENIC MANAGEMENT**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3701.933, 3703.03, 3707.26, 3313.473, 3314.15, 3703.03, 3707.26, A.C. 3301-35-03(C)(D), and A.C. 3701-54, adopted a policy to make and enforce such rules regarding the cleanliness and sanitary management of the schools; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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, "Hygienic Management" at Section 7420 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, "Hygienic Management," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.

2/9/10

HYGIENIC MANAGEMENT

The Board of Education recognizes that the health and physical well-being of the students of this District depends in large measure upon the cleanliness and sanitary management of the schools.

The Board directs that a program of hygienic management be instituted in the schools and explained annually to all staff members.

The Superintendent shall cooperate with the Board of Health in the conduct of the inspection of each school building and grounds for conditions dangerous to public health and safety not less than **semiannually**. The Superintendent shall provide access to school premises for the inspection(s) which shall be conducted during regular school hours. The Superintendent shall provide records or information the Board of Health considers necessary.

The Board shall review its policies and administrative guidelines periodically to provide for the safety of students, employees, and other persons using school facilities from any known health or safety hazards in a school building or on school grounds. The Board shall comply with Federal laws and regulations regarding health and safety applicable to school buildings.

Integrated Pest Management

The hygienic management plan shall include an Integrated Pest Management program (IPM) for the control of structural and landscape pests that minimizes the use of pesticides while addressing pest control.

The IPM program will include:

- A. procedures for prevention, identification, control, and monitoring of pests and conditions that attract pests;
- B. education and training;
- C. approved least-toxic chemical use and pre-notification of chemical use (see Policy 8431).

Wastes and Fluids

The Superintendent shall prepare, in consultation with the Chief of Maintenance and Operations, procedures for the handling and disposal of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomitus, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and any other body parts that contact such matter (see Policy 8453 and Policy 8453.01).

The Superintendent shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, in school grounds, and school equipment pursuant to law.

The cleanliness of each school building shall be the responsibility of the Chief of Maintenance and Operations.

R.C. 3701.933, 3703.03, 3707.26, 3313.473, **3313.86**, 3314.15, 3707.26

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

A.C. 3701-54

Adopted: 8/24/04

Revised: 8/28/07

Revised: 8/12/08

Revised:

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

RESOLUTION NO. 29-10

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

WHEREAS, the Board of Education of the Youngstown City School District adopted a policy regarding the Board's commitment to maintaining a safe and drug-free environment in all the District's schools; and

WHEREAS, the Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of School District personnel, law enforcement agencies, and families; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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 Safety" at Section 8400 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 Safety," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.

2/9/10

SCHOOL SAFETY

The Board of Education is committed to maintaining a safe and drug-free environment in all of the District's schools. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of School District personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s), and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

School Safety Plan

To that end, the Superintendent shall develop a School Safety Plan with input from representatives of the local law enforcement agency, the local Fire Marshall(s) or his/her designee(s), representative(s) from emergency medical services, members of the Board, building administrators, representatives from the local emergency management service agency, and School Resource Officer(s).

The School Safety Plan shall be comprehensive and consider each school building under the Board's control. Thereafter, the Superintendent shall convene a meeting annually for the purpose of reviewing the School Safety Plan, and making modifications as deemed necessary and proper; identifying additional training that might be needed; and discussing any other such related matters as may be deemed to be necessary by the participants. The Superintendent shall also convene a meeting whenever a major modification to a school building requires changes in the procedures outlined in the School Safety Plan. Participants in this meeting shall include the Superintendent, representatives of the local law enforcement agency, the local Fire Marshall(s) or his/her designee(s), representative(s) from emergency medical services, members of the Board, building administrators, representative(s) from the local emergency management service agency, and School Resource Officer(s).

The Superintendent shall make a report to the Board about this review and recommend the approval and adoption of any proposed revisions or additions to the School Safety Plan.

Upon approval and adoption of the School Safety Plan by the Board, the Superintendent shall file a copy of such Plan and a blueprint of each building with the following:

- A. each law enforcement agency that has jurisdiction over the school building; and
- B. upon request, the local fire department serving the area in which the school district is located.
- C.

Additionally, the Superintendent shall file a copy of the School Safety Plan and a copy of each building floor plan with the Attorney General, who will post information on the Ohio Law Enforceway Gateway. If the Board revises the School Safety Plan, building blueprint or building floor plan, it shall file a copy of such revised document with the above-referenced entities within ninety-one (91) days of the Board's adoption of the revision.

Copies of the School Safety Plan and blueprints shall not be considered public records. However, building floor plans are subject to public disclosure.

The Board shall grant access to each school building to law enforcement personnel in order to enable such personnel to conduct training sessions for responding to threats and emergency events affecting the School District and/or a school building. Such access shall be provided outside of student instructional hours and an employee of the Board shall be present in the building during the training sessions.

Prior to the opening day of each school year, the Superintendent shall inform each enrolled student and the student's parent of the procedures to be used to notify parents in the event of an emergency or a serious threat to safety. Also, see Policy 8420 – Emergency Situations at School.

Safe and Drug Free Schools

As a part of the School Safety Plan, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing No Child Left Behind Act of 2001):

- A. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;
- B. security procedures at school and while students are on the way to and from school;
- C. prevention activities that are designed to maintain safe, disciplined and drug-free environments;
- D. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:
 - 1. allows a teacher to communicate effectively to all students in the class;
 - 2. allows all students in the class the opportunity to learn;
 - 3. has consequences that are fair, and developmentally appropriate;
 - 4. considers the student and the circumstances of the situation; and
 - 5. is enforced accordingly.

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agency, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agency, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

R.C. 3313.536

Title IX, Section 9532 of the No Child Left Behind Act of 2001

20 U.S.C. 6301 et seq.

Public Law 107-110

Date of Adoption: 8/24/04

Revised: 4/24/07

Revised:

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

RESOLUTION NO. 30-10

**RESOLUTION TO ADOPT REVISED POLICY
ON STUDENT ABUSE AND NEGLECT**

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 2151.421, 3313.60, and 3319.073, adopted a policy regarding the identification and reporting of cases of child abuse or neglect in accordance with law; and

WHEREAS, the Board has caused its policy to be reviewed by the Superintendent and her 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, "Student Abuse and Neglect" at Section 8462 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, "Student Abuse and Neglect," a copy of which is attached hereto and made a part hereof by this reference.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

STUDENT ABUSE AND NEGLECT

The Board of Education is concerned with the physical and mental well-being of the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Every Board official and employee who, in connection with his/her position, knows or suspects child abuse or neglect must immediately report that knowledge or suspicion to a public children's services or local law enforcement agency. Such reporting shall be required in every case that reasonably indicates that a child under the age of eighteen (18) or a physically or mentally disabled child under the age of twenty-one (21) has been abused (physically or mentally) or neglected or faces the threat of being abused or neglected.

The Board official and employee making the report shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect and shall secure prompt medical attention to any such injuries reported.

Each principal should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent. Board officials and employees must report suspected abuse to a public children's services or local law enforcement agency even when the suspected abuser is another official or employee.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse of a student is confidential information and is not to be shared with any unauthorized person. A staff member who violates this policy may be subject to disciplinary action and/or civil and/or criminal penalties.

In accordance with law, the Board will provide appropriate instruction on personal safety and assault prevention to all students in grades K-6. In order to develop programs that are appropriate and effective, the Superintendent is authorized to consult with public and/or private agencies or individuals involved in child abuse prevention and intervention. In addition, the Superintendent shall provide a program of in-service education on prevention of child abuse, violence, and substance abuse and promotion of positive youth development for all elementary, **middle and high school** staff members. All newly-employed professional staff shall complete at least four (4) hours of in-service training within two (2) years of the date of employment. **Further, all currently-employed middle and high school staff members must complete the initial four (4)**

hours of in-service training no later than October 16, 2011. Additional training must occur every five (5) years thereafter.

A law enforcement officer or children's services agency investigating child abuse or neglect may interview a student on school grounds only in accordance with Board Policy 5540.

R.C. 2151.421, 3313.60, 3319.073

Adopted: 8/24/04

Revised: 3/27/07

Revised: 5/12/09

Revised:

The Public Schools
Youngstown, Ohio
Office of the Superintendent

RESOLUTION NO. 31-10

RESOLUTION APPROVING CHANGE ORDERS
NUMBER 13 AND NUMBER 14
FOR THE EQUITABLE RESOLUTION TO THE
DeSALVO CONSTRUCTION COMPANY, INC. CONTRACT
FOR THE NEW WILSON MIDDLE SCHOOL

WHEREAS, on June 25, 2009, DeSalvo Construction, the Ohio School Facilities Commission and the Youngstown City School District participated in a claim resolution meeting; and

WHEREAS, these Change Orders represent a full settlement of all claims for equitable adjustment of the *General Trades Contract* due to the impact of the delay in issuing notice to proceed in conjunction with the impact of weather conditions for the construction of the new Wilson Middle School; and

WHEREAS, all parties have reached an equitable agreement, as follows:

Change Order # 13	Labor Escalation	\$51,350.73
Change Order # 14	Time Extension/Office Overhead	<u>65,000.00</u>
	TOTAL	\$116,350.73

WHEREAS, 80% (eighty percent) of the funding for these Change Orders shall be provided by the Ohio School Facilities Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District does approve Change Orders Number 13 and Number 14 for the Wilson Middle School *General Trades* work.

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale
Nays: None

Motion carried.
2/9/10

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

RESOLUTION NO. 32-10

The Board of Education of Youngstown City School District, Ohio, met in regular session on February 9, 2010, commencing at 5:30 p.m., in the Board Room at the I.L. Ward Building, 20 West Wood Street, Youngstown, Ohio, with the following members present:

Ms. Drennen	Mr. Atkinson
Ms. Hanni	Mr. Beachum
Ms. Mahone	Mr. Catale
Mr. Murphy	

The Treasurer advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Mr. Beachum moved the adoption of the following Resolution:

**A RESOLUTION APPROVING A SETTLEMENT AGREEMENT IN PRINCIPLE
RELATED TO THE ELECTRICAL CONTRACT WITH
VALLEY ELECTRICAL CONSOLIDATED, INC. FOR EAST HIGH SCHOOL
IN CONNECTION WITH THE SCHOOL DISTRICT'S
OHIO SCHOOL FACILITIES COMMISSION PROJECT**

WHEREAS, pursuant to Sections 3313.46 and 3318.10 of the Revised Code, after advertising for bids, this Board received competitive bids for the electrical work at East High School in connection with the School District's Ohio School Facilities Commission (OSFC) project (the Project); and

WHEREAS, Heery International, Inc./G. Stephens, Construction Manager for the Project, and Ricciuti Balog & Partners (now Balog Steines Hendricks & Manchester Architects), Architect for the Project, recommended the award of the electrical contract for East High School (the Contract) to Valley Electrical Consolidated, Inc. (VEC); and

WHEREAS, this Board thereafter awarded the Contract to, and entered into the Contract with, VEC; and

Resolution No. 32-10 continued

WHEREAS, in 2008, VEC brought an action in the Ohio Court of Claims (Case No. C2008-10587) against the OSFC relating to the Contract (the Litigation); and

WHEREAS, on January 13, 2010, VEC and the OSFC engaged in a mediation of the disputes at issue in the Litigation and reached a Settlement Agreement In Principle (the Settlement Agreement) to settle the Litigation, subject to certain conditions, one of which is approval of the Settlement Agreement by this Board; and

WHEREAS, this Board has reviewed the Settlement Agreement and determined it should be approved;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of Youngstown City School District, Mahoning County, Ohio, that:

Section 1. Approval of Settlement Agreement. This Board hereby approves, and authorizes the President or Vice-President and Treasurer of this Board, if so requested, to sign, on behalf of this Board, the Settlement Agreement in Principle substantially in the form now on file in the office of the Treasurer. The form of that Settlement Agreement is approved with such changes therein that are not materially inconsistent with this Resolution and not substantially adverse to the School District and that are permitted by law.

Section 2. Related Matters. The President or Vice-President and Treasurer of this Board, or such other School District officials as shall be designated by those officials, as appropriate, are each authorized and directed to sign any other certificates, documents or and to take such actions as are necessary or appropriate to consummate the agreements and transactions contemplated by this Resolution.

Section 3. Prior Acts Ratified and Confirmed. Any actions previously taken by School District officials or agents of this Board in furtherance of the matters set forth in this Resolution are hereby approved, ratified and confirmed.

Section 4. Certification and Delivery of Resolution. The Treasurer is directed to deliver or cause to be delivered a certified copy of this Resolution to the Commission.

Section 5. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board or committees, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 6. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof.

Resolution No. 32-10 continued

Section 7. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.

Mr. Murphy seconded the motion.

Upon roll call on the adoption of the Resolution, the vote was as follows:

Ms. Drennen	Yes	Mr. Atkinson	Yes
Ms. Hanni	Yes	Mr. Beachum	Yes
Ms. Mahone	Yes	Mr. Catale	Yes
Mr. Murphy	Yes		

TREASURER'S CERTIFICATION

The above is a true and correct extract from the minutes of the regular meeting of the Board of Education of Youngstown City School District, Ohio, held on February 9, 2010, commencing at 5:30 p.m., in the Board Room at the I.L. Ward Building, 20 West Wood Street, Youngstown, Ohio, showing the adoption of the Resolution hereinabove set forth.

Dated: February 9, 2010

Treasurer, Board of Education
Youngstown City School District, Ohio

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

RESOLUTION NO. 33-10

**CERTIFICATED PERSONNEL
APPOINTMENTS, LEAVE OF ABSENCE AND RETIREMENT**

RESOLVED, based upon the recommendation of the Assistant Superintendent of the Human Resources, the following appointments, leave of absence and retirement are being accepted for the 2009-10 school year:

APPOINTMENTS

Substitute Teachers (Fund 001) – To be used on an “as needed basis” 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
- \$157.64 a day from day 61 to day 184 if in the same position

Christopher Kuzma
Katie Stack

Garry Walker
Betty Wiggins

Evidenced-Based Model Funding Assistance (Parity) Tutor (Fund 001) – McGuffey Elementary School, \$15.50 per hour for Non-YEA members, not to exceed 25 hours per week:

Marissa Rouzzo

Nova-Net Teacher (Funds 001) - \$22.05 per hour for YEA teachers, not to exceed 15 hours per week:

Diane Reha

Governor’s Initiative/Peer Mentor Coaching Tutors (Fund 572-932N) - \$22.05 per hour for YEA Teachers, \$15.50 per hour for Non-YEA Members, not to exceed 25 hours per week:

Chaney

East

Kim Moore
Eboni Williams

Kenneth Andrews
Bunny Stuber

Safe School Team Leaders (Fund 484) - \$22.05 per hour for YEA Teachers, not to exceed 25 hours per week:

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Elementary

Lori Bagnola
Rita Creed
Kathleen Drummond
Jeannette Rasey
Patricia Scalzo

Secondary

Tina Banks
Elizabeth Johnquest
Sarah Patrick
Wanda Smith
Karen Thompson
Tiffany Trella

Spring Supplemental Contracts (Fund 001)

Alpha

Nathan Boyd	Head Boys Track Coach	2009-10	\$1,740.00
Kaylor White	Head Girls Track Coach	2009-10	\$1,740.00

P. Ross Berry

Justin Kosek	Head Boys Track Coach	2009-10/10-11	\$1,740.00
Jodie Kosek	Head Girls Track Coach	2009-10/10-11	\$1,740.00

Volney Rogers

Anthony Patterson	Head Boys Track Coach	2009-10	\$1,740.00
Carla Venable Head	Girls Track Coach	2009-10	\$1,740.00

Chaney

Jason Savage	Head Baseball Coach	2009-10	\$3,481.00
Brett Savage	Asst. Baseball Coach	2009-10	\$1,740.00
Malik Mostella	Head Boys Track Coach	2009-10	\$3,481.00
Dorian Townsend	Asst. Boys Track Coach	2009-10	\$1,740.00
Christopher Patrone	Head Girls Track Coach	2009-10	\$3,481.00
Nicolette Potkanowicz	Asst. Girls Track Coach	2009-10	\$1,740.00

East

Nick Horvath	Head Baseball Coach	2009-10/10-11	\$3,481.00
Dennis Parise	Asst. Baseball Coach	2009-10	\$1,740.00
Jerron Jenkins	Head Boys Track Coach	2009-10	\$3,481.00
Phillip House	Asst. Boys Track Coach	2009-10	\$1,740.00
Shirley Barnett	Head Girls Track Coach	2009-10	\$3,481.00
Barbara Sedlak	Asst. Girls Track Coach	2009-10	\$1,740.00

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LEAVE OF ABSENCE

Teacher

Lisa Francis Medical Leave of Absence Eff. 01/21/10 thru 02/21/10

RETIREMENT

Teacher

Audrea A. Neri Retirement Eff. 07/01/10

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

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

RESOLUTION NO. 34-10

**CLASSIFIED PERSONNEL
APPOINTMENTS AND LEAVE OF ABSENCE**

RESOLVED, based upon the recommendation of the Assistant Superintendent of Human Resources, the following appointments and leave of absence are being accepted for the 2009-10 school year:

APPOINTMENTS

Substitute Bus Driver (Fund 001) – \$10.58 per hour, not to exceed 25 hours per week:

Manuel Reyes

Parent Liaison (Fund 572) – \$7.30 per hour, not to exceed 24 hours per week:

Tami Short

Monitorial Aide (Fund 006) - \$7.30 per hour; to be used on an “as needed” basis; not to exceed 20 hours per week:

Danielle Harrell

LEAVE OF ABSENCE

Educational Assistant

John J. Kastello

Medical

Eff. 12/28/09 thru 06/11/10

Mr. Beachum moved, seconded by Mr. Murphy that the foregoing resolution be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

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

To: Board of Education

Subject: Recommendation on Appeal Hearing for Expulsion

In accordance with Ohio Revised Code 3313.66 and 3313.661 and the Youngstown Board of Education Policy 5610, an appeal hearing was held on Tuesday, January 19, 2010 at 2:00 p.m. for Danielle Yeaton.

Beverly Schumann, the designee of the President of the Board of Education, served as the appeal officer. After reviewing all documentation, the hearing officer recommends that Danielle Yeaton's expulsion for the remainder of the school year be upheld. It is also recommended that Danielle enroll in the NovaNet program during her expulsion time.

Respectfully Submitted,

Anthony Catale, President
Youngstown Board of Education

Mr. Catale moved, seconded by Mr. Beachum that the foregoing recommendation be adopted.

Ayes: Drennen, Hanni, Mahone, Murphy, Atkinson, Beachum, Catale

Nays: None

Motion carried.

2/9/10

ADJOURNMENT

There being no further business requiring board action at this time, Mr. Beachum moved that the meeting adjourn. Mr. Atkinson seconded the motion, and upon voice vote all board members voted yes. Mr. Catale announced the meeting adjourned at 7:55 p.m.

President

Treasurer