

# The Xenia Community City Schools Board Member Handbook



Board Member Handbook

Xenia Community Schools

Board Member Handbook

An Informational Guide for Xenia Community Schools

Board of Education Members

Approved and adopted by the Xenia Board of Education on February 8, 2015

Revised September, 2018

Revised June, 2021

Xenia Community Schools

Board of Education

819 Colorado Drive

Xenia, OH 45385

(937) 376-2961

[www.xeniaschools.org](http://www.xeniaschools.org)



## Table of Contents

INTRODUCTION	6
EDUCATIONAL VISION AND MISSION	6
CHAPTER 1	7
LEADERSHIP DIRECTORY	7
History of Xenia Community Schools	9
About the District	15
Schools and Administrative Offices	15
District Demographics	16
Budget and Financial Information	16
CHAPTER 2	17
OHIO’S PUBLIC SCHOOL SYSTEM	17
State Laws and Agencies	17
School Districts	18
City School Districts	18
Community Schools	18
CHAPTER 3	19
BOARDS OF EDUCATION	19
Board Members – Term, Oath of Office, Vacancies; President and Vice President	19
Vacancy	20
President and Vice President	21
Board Resolutions	21
Other Board Member Duties	21
Compensation of Board Members; Insurance Benefits	22
Reimbursement of Expenses	22
Removal from Office	23
Board and Board Member Authority; Board Officers	23
Board Organizational Meeting – Election of Officers	23
Board Selection of the Superintendent and Treasurer; Performance Reviews	24
Board Role in the Employment of Other Personnel	24
Board Role in the Termination of Employees	25

## Board Member Handbook

ETHICS LAWS AND BOARD POLICIES	25
Ohio's Ethics Laws	25
Board Policies Regarding Ethics	26
CHAPTER 4	26
LEVIES AND LEVY CAMPAIGNS	26
CHAPTER 5	27
OPEN MEETING LAWS AND PUBLIC RECORDS	27
The Open Meeting Law	27
Regular and Special Meetings	27
The Public Records Law	28
CHAPTER 6	29
THE BOARD'S POLICY MANUAL	29
Acknowledgements	29
BIBLIOGRAPHY	30
PICTURES OF DOUG ADAMS STADIUM	31

## INTRODUCTION

The Board of Education of Xenia Community Schools has created this Board Member Handbook as a means to provide a quick and easy-to-use reference guide for members in the discharge of their duties as they govern the Xenia Community Schools. Those duties are broad and significant. Under Ohio law, the Board of Education serves as the taxing authority, contracting body, and policy maker for the school district, and ensures that all other general laws of the State of Ohio are followed in the administration of the district.

The Handbook contains some of the most salient laws, rules, regulations and policies applicable to the Board and to the school district. The Handbook is designed to assist Board members in understanding the educational system they govern, answer some basic questions about their role in that system, and point Board members in the right direction to obtain additional information.

This Handbook does not cover all laws, policies, and rules applicable to Board service. A comprehensive source of information about the District, its operations and the role of the Board is contained in the Board's Policy Manual, which is a compilation of the formal policies adopted by the Board. In addition to this Handbook, the Policy Manual should be the next resource Board members check for information about the school district. The Xenia Community Schools' Policy Manual is found on the district's website at:

<https://go.boarddocs.com/oh/xeniaoh/Board.nsf/Public>. It is important to indicate that State law takes precedence over Board policy which in turn supersedes this Handbook.

## EDUCATIONAL VISION AND MISSION

Vision: Expectations, Excellence, Extraordinary Students, Every Day.

Mission: Xenia Community Schools consistently develops independent, successful, and life-long learners in an environment of diversity, collaboration, and unity. The inseparable bond of schools and community is strengthened by a "can-do" spirit that resonates across the district.

## CHAPTER 1

### LEADERSHIP DIRECTORY

#### Board Members

**Tamara M. Bartley-President**

[tbartley@xeniaschools.org](mailto:tbartley@xeniaschools.org)

(937) 673-5961

Committees:

Athletic Council

**Pam Callahan - Vice-President**

[pcallahan@xeniaschools.org](mailto:pcallahan@xeniaschools.org)

(937) 409-8806

Committees:

Xenia Community Schools Foundation Board

**Robert P. Dillaplain, M.D. MPA - Member**

[rdillaplain@xeniaschools.org](mailto:rdillaplain@xeniaschools.org)

(937) 372-4359

Committees:

OSBA Legislative Liaison – Treasurer’s Finance Committee – Tax Incentive Review Council

**Cheryl D. Marcus, Ed.S-Member**

[cmarcus@xeniaschools.org](mailto:cmarcus@xeniaschools.org)

(937) 376-9697

Committees:

OSBA Student Achievement Liaison – Affirmative Workforce Diversity Committee-  
Economic Development Advisory Board

**Mary Adeline Lewis - Member**

[malewis@xeniaschools.org](mailto:malewis@xeniaschools.org)

(937) 838-9543

Committees:

BRACA – Public Records Commission

#### Executive Officers

**Dr. Gabriel Lofton, Superintendent**

[glofton@xeniaschools.org](mailto:glofton@xeniaschools.org)

(937) 562-9011

**Carolyn Huber, Treasurer**

[chuber@xeniaschools.org](mailto:chuber@xeniaschools.org)

(937) 562-9032

**Superintendent's Cabinet**

Dianna Alliod, Director of Special Education and Pupil Personnel

(937) 562-9050

Mike Earley, Human Resources Director

(937)562-9001

Dr. Jill Hollander, Director of K-12 Instructional Services

(937 )562-9012

Bryan Shirey, Director of Business Operations

(937) 562-9014

**Coordinators**

Kristy Creel, Coordinator of Communications

(937) 562-9005

Jennifer Jones, Coordinator of Special Education

(937) 562-9048

Shari Jones, Coordinator of Cafeterias

(937) 562-901

Brian Newell, Coordinator of Pupil Personnel

(937) 562-9029

Brian Vandergriff, Coordinator of Facilities

(937) 562-9031

**Management Philosophy**

- Maintain open and honest communication with internal and external stakeholders.
- Design a curriculum that meets the needs of all students.
- Believe that all of us are smarter than one of us.
- Provide appropriate facilities focused on safety and learning.
- Practice fiscal responsibility and transparency.





### History of Xenia Community Schools

Nearly all written records documenting the early history of the Xenia schools have disappeared and no Xenia newspapers from 1805 to 1918 even mention Xenia schools. A few school records do exist from the 1840's, but they are incomplete. The most complete collection of Xenia School history is "A History of Xenia Schools" by Barbara Hooper Heckart, completed in March of 1994. A significant portion of the history documented in this handbook was explicitly taken from Mrs. Heckart's book.

Mrs. Heckart writes that in 1803, when most Ohio counties were formed, most townships had schools. However, there are few records to reflect this fact. Before 1851, there were few public schools as we now know them today. There were, however, private and subscription schools, where parents agreed to pay a specified amount for each student enrolled. In Xenia Township, "Union Schools" were organized in 1938 as a joint agreement between the city and township.



**In 1854 Samuel and Rebecca McClellan Collins deeded 1.28 acres for the purpose of building a schoolhouse. The first two schools were built of stone with fireplaces for heat. Neighborhood children in grades one through eight were educated in the present red brick building until 1944 when decreased enrollment forced Xenia Township to close the building. Over the years, Xenia Community Schools elementary students have taken field trips to Collins Schools to learn about its history.**

As early as 1803, when Ohio became a state, the first township schools were started in Greene County, but it wasn't until two years later that Xenia had its own school. A series of subscription schools provided education for Xenia residents. They were:

- Benjamin Grover opened a one-room log school in Xenia in 1805 at a point near the northwest corner of Third (then called Water) and King Streets.
- In 1810, Hugh Hamil arrived in Xenia and taught for a time in this same building. Grover and Hamil monopolized the education business in Xenia until 1816.
- Thomas Steele, a devout Presbyterian, came to Xenia from Lexington, Kentucky, in 1816 and opened his first school building on what is now East Market Street. The school was private and operated from 1816 to 1848.
- Mrs. Templeton is credited with starting the first school for black children in 1834. For several years the school maintained a fine reputation for the excellence of its work.
- Mrs. Mulligan conducted a school for girls, particularly young ladies, in a building on East Church Street. This school later gave way to the Xenia Female Academy.
- Stephen W. Reeder had a school called the Xenia English Seminary in 1826. Rev. Hugh McMillan started a private boys' school in 1827 in a log cabin on the corner of Market and Collier Streets. This school still operated in the 1840's.
- John Armstrong had a private school for boys in the 1840's and 1850's on Market Street. After his death, his two daughters conducted a school for small children in the same building.

Since 1838, Xenia has had its own school system, although it was not until 1848 that a complete separation was made between the township and town schools. Xenia was termed a corporation district and a Board of Education was organized on October 6, 1840, which was appointed by the township clerk.

In 1847, by a vote of 150 to 27, the public resolved to levy a tax on itself of \$4,000 to build a new schoolhouse. A contract to build the schoolhouse was made March 11, 1848. This building stood on Market Street, where old Central High School stood prior to moving to Edison Boulevard. It was completed at the end of that year. It had four rooms on the first floor and two rooms on the second.

In 1848 Xenia began to have a superintendent in charge of its schools. Josiah Hurty was the first superintendent elected by the Xenia Board of Education on January 1, 1849.

The present system of free public schools did not come into existence until after the adoption of Ohio's constitution in 1851. Some schools were maintained partly by subscription and partly by public funds. There were always schools of this kind where even the poorest citizen could educate their children.

Most early school buildings looked the same, no matter where they were located. They were poorly heated log buildings with huge fireplaces. School supplies were quill pens, sumac ink, a Bible, and a few books. The curriculum was based on the three R's, 'readin', 'ritin', and 'rithmetic. Eight years of schooling was considered a satisfactory education.



In 1818 it was reported that there were eleven one-room buildings in Xenia Township and three two-room buildings, the latter being known as the Goes, Wilberforce, and Union schools. In the 1920's and 1930's, some of the one room schoolhouses became part of the Xenia school district. Some of these buildings were also used as churches when not being used as schoolhouses.

Significant events in the district's history include:

- Twenty-four superintendents have served beginning in January 1849. The first superintendent was Josiah Hurty and the current superintendent is Dr. Gabriel Lofton.
- In 1908, the school board hired teachers with a salary of \$1,300 a year.
- In 1918, a new position, Business Manager, was established.
- George Graham was principal of Xenia High School for 25 years beginning in 1886. After the death of Superintendent Cox, Graham took over for 4 ½ years. Graham is further noted in Xenia's school history when his estate paid for the all-weather track at the high school.
- Edwin B. Cox was the longest serving superintendent—31 years; January 1881 through January 1912. Mr. Cox died in office.
- The National School Lunch Program was established in 1936 by President Harry S. Truman.
- In 1998 the Xenia Board of Education approved a resolution to change the name of the system to the "Xenia Community Schools" to reflect the various communities it serves.

The curriculum of Xenia Schools changed throughout the years:

- The Xenia Schools switched back and forth between three and four year curriculums. The four year curriculum was finally settled on in 1898 and prevailed until 1957 when 9<sup>th</sup> graders were combined with the 7<sup>th</sup> and 8<sup>th</sup> graders to create two junior high buildings.
- In 1917, in the McKinley building held 7<sup>th</sup> and 8<sup>th</sup> grade students who were organized as a junior high. In the Lincoln building, the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grade students were organized as a junior high.
- In 1918 instruction in the junior high buildings became departmentalized. That is, each teacher had charge of only one branch of study—one teacher had all the mathematics instruction, another all of the geography, etc.
- In 1959, R. J. Warner was the superintendent of schools and the organizational plan was changed to a K-6-3-3. The schools would be divided into kindergarten, grades 1-6, grades 7-9, and grades 10-12.
- During the 2014-2015 school year, Superintendent Morrison implemented a virtual academy with the purpose of offering an alternative program aimed at serving diverse learners and encouraging high school completion.
- For the 2015-2016 school year, the district implemented the new organizational structure: elementary (K-5), middle school (grades 6-8), and high school (grades 9-12).



## Board Member Handbook

Because Xenia Schools were segregated, East High School, was the high school for black students and was founded in 1872. Lincoln Elementary, also segregated for the African American children, was built on East Market Street in 1894 at a cost of \$29,000 and it was used as an elementary and a junior high until 1923 when East High School was added on. Desegregation in Xenia Schools began in 1957 and a phase-out of students in both buildings was completed in June of 1965. Mr. Aaron Page served as Lincoln's last principal.

The East High School building was used as Xenia's Central Office until 2013. With the construction of five new elementary buildings, the district's Central Office was relocated to the old McKinley elementary building, across the parking lot from the new McKinley Elementary building. It is worth noting that East High School, located at 578 East Market Street, "...was the oldest building in the Xenia Schools system" until it was sold in 2018.



**East High School**



## Board Member Handbook

In the late 1990's a group of Korean War Veterans attended a board of education meeting and requested the board develop a memorial to honor Xenia graduates who served their country. The below memorial was designed and placed at the south end of Cox stadium (now called Doug Adams Stadium) to honor those who served in the Army, Air Force, Coast Guard, Marines, and the Navy while the field was officially named Veterans Field.



**War Memorial declaring the football field "Veterans Field"**





In addition to a new construction for McKinley Elementary, the other four new elementary buildings are Tecumseh, Shawnee, Arrowood and Cox. All five elementary buildings in September of 2013 became K-5 buildings. Effective in the school year 2015-2016, Central Middle School became a pre-school building; Warner Middle School became a 6-8 building, while Xenia High School remains a 9-12 building.



**The photo above is a representation of the appearance of all five new elementary buildings**

In 2015 the Xenia Community came together to fund the new construction of a \$650,000 project to install artificial turf on the football field. The field's name continued to be "Veterans Field" while the stadium was renamed "The Doug Adams Stadium." See field pictures on page 31 of this book.

In the summer of 2017, on July 12, the Xenia Athletic Department had the ribbon cutting for a new eight lane all-weather track around Veterans Field in The Doug Adams Stadium. This track replaced the cinder track that had been around the football field for years. See lower picture on page 31.

### **About the District**

The administrative offices of Xenia Community Schools (XCS) are housed at 819 Colorado Drive, Xenia. Additional facilities and offices are located in the Bus Garage, Doug Adams Stadium and Central.

### **Schools and Administrative Offices**

Effective August 2015, XCS has one high school (grades 9-12), one middle school (grades 6-8), five elementary schools, one preschool, and one learning center (Virtual Academy).

Xenia High School  
303 Kinsey Road  
(937) 372-6983

David Torrence, Principal; Megan Winston and Joe Bachman, Assistant Principals  
Jodi Yaney, Amy Biggs, and Shawn Rudegeair, Counselors

Warner Middle School  
600 Buckskin Trail  
(937) 376-9488

Ted Holop, Principal: Jamie Simpson, Joshua Newport and Jeff Keadle, Assistant Principals

Arrowood Elementary  
1588 Pawnee Drive  
(937) 372-9251  
Travis L. Yost, Principal

Cox Elementary  
506 Dayton Avenue  
(937) 372-9201  
Lisa Peterson, Principal

McKinley Elementary  
829 Colorado Drive  
(937) 372-1251  
Garry Hawes, Principal

Shawnee Elementary  
92 East Ankeney Mill Road  
(937) 372-6461  
Scott Poole, Principal

Tecumseh Elementary  
1058 Old Springfield Pike  
(937) 372-3321  
Cathryn Rice, Principal

Central Preschool  
25 Edison Blvd  
(937) 562-9706  
Jennifer Statzer, Principal

Xenia Virtual Academy  
819 Colorado Drive  
(937) 562-9012  
Dr. Jill Hollander

**Xenia Athletic Director**

Nathan Kopp  
(937) 562-9672

**District Demographics**

Student Enrollment – 4,400 (FY 2021)

Instructional Certified Staff (291); Classified Staff (135); Administrative Staff (20)

Xenia Community Schools collaborates with First Student Inc. to provide transportation for our students..

**Budget and Financial Information**

The work of compiling the budget is performed by the superintendent, his or her staff and the treasurer. At least one public hearing is held and the budget must be adopted annually by January 15. Xenia Community Schools receives revenue from state and local sources. The Five Year Forecast, approved twice a year, explains the revenue and expenses for Xenia Schools. The local share makes up approximately 51%; the state share 49%. For example for FY2020, XCS expected approximately \$51.6 million in revenue from all sources, and anticipated \$51.8 million in expenditures (Source: Five Year Forecast).



## CHAPTER 2

### OHIO'S PUBLIC SCHOOL SYSTEM

#### State Laws and Agencies

Article VI, section 2 of the Ohio Constitution requires the General Assembly to make provision for “a thorough and efficient system of common schools throughout the State.” Although the Ohio Supreme Court found Ohio’s school funding system to be unconstitutional for failing to provide such a system in the 1997 case of *DeRolph v State*, the Supreme Court eventually took itself out of the school funding debate, and refused to issue any further orders to the General Assembly to reform the funding system.

Article VI, section 4 of the Ohio Constitution provides for a State Board of Education and a State Superintendent of Public Instruction appointed by the State Board. Also, the Constitution directs the General Assembly to make provision for the organization, administration, and control of a public school system of the state. The General Assembly has done that in Revised Code 3301.07, vesting the State Board of Education with “general supervision of the system of public education in the State.” The State Board has the power to establish educational standards for all schools in Ohio, both public and private. In addition, the State Board provides for a system of financial reporting which is used by each public school district. The State Board administers and supervises the allocation and distribution of all State and Federal funds for Ohio’s public schools. The State Board can require every public school district to make such reports to it as the State Board deems “necessary and desirable.”

In accordance with statutory procedures, the State Board classifies and charters school districts and may revoke charters and dissolve school districts, as well as approve the transfer of territory between districts. In cases of financial distress, the State Board is authorized to monitor and even take control of local school districts.

The State Department of Education consists of the State Board of Education, the Superintendent of Public Instruction and other personnel necessary to perform the duties and required functions of the Department.

### **School Districts**

To provide and administer the public education system under the general supervision of the State Board of Education, the State is divided geographically into various districts. These are designated as city, local, joint vocational school districts and educational service centers (previously known as county school boards). Exempted village school districts may no longer be created as such, although many such districts continue to exist. In 1997, the General Assembly provided for municipal school districts with specific criteria designed to fit the Cleveland Public Schools. Members of a Municipal School Board are appointed, not elected.

To date, Cleveland is Ohio's only municipal school district. School district boundaries are independent of the boundaries of other political subdivisions, such as cities and townships. School district boundaries may contain areas lying within any other political subdivision and cross those boundaries. Like counties, municipalities and townships, school districts are considered political subdivisions under Ohio law.

### **City School Districts**

City school districts exist within Ohio's cities (though as noted, school district boundaries are not necessarily co-terminus with municipal boundaries), and a "city" is defined as a municipal corporation with a population of 5,000 or more. If a city school district's population declines to under 5,000, it becomes a local school district.

The Xenia School District covered 127 square miles, incorporating the four municipalities of Xenia, Oldtown, Spring Valley, and Wilberforce, and the six townships of Beaver Creek, Caesar's Creek, Cedarville, New Jasper, Spring Valley and Xenia. At the August 10, 1996 Board of Education meeting, the board approved a resolution to change the legal name of the Xenia School system from the Xenia City Schools to the Xenia Community Schools. Because Xenia is a city school district, the correct legal name for the schools is "The Xenia Community City School District", but using the common name "Xenia Community Schools" is acceptable.

### **Community Schools**

Community schools, also known as charter schools, are independently governed public schools formed within an existing school district under Chapter 3314 of the Ohio Revised Code. Community schools operate without many of the statutory mandates of traditional public schools. They have no authority to impose local property taxes, but derive their funding by a transfer of dollars from traditional public schools based upon enrollment.

## CHAPTER 3

### BOARDS OF EDUCATION

Although the State Board of Education has plenary authority in the supervision of the public school system generally, the actual job of establishing and maintaining public schools is vested in the several school districts and their Boards of Education. Each Board of Education is charged with the responsibility of organizing, administering and controlling the public education system within its boundaries. Boards of Education are sometimes referred to as administrative, quasi-legislative and quasi-judicial agencies with responsibility to manage and control the affairs of the school district.

Board members are elected and serve at-large. City School Board candidates run in non-partisan elections held in odd numbered years. To be certified on the ballot, the candidate must submit a petition signed by at least 75 electors.

#### **Board Members – Term, Oath of Office, Vacancies; President and Vice President**

##### **Term**

Terms of office of elected members of each Board of Education begin on January 1 after their election and each member's term is for four years, expiring on December 31.

##### **Oath of Office**

Before taking up the duties of office, a member is required to take an oath to support the Constitution of the United States and the Constitution of Ohio and to perform faithfully the duties of the office. This oath may be administered by, among others, the Treasurer or any Board member. The Oath as found in Board Policy 0142.1:

“Do you solemnly swear (or affirm) that you will support the Constitution of the United States and the Constitution of the state of Ohio; and that you will faithfully and impartially discharge your duties as members of the board of education of the Xenia Community School District, Greene County, Ohio, to the best of your ability and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified?”



## Vacancy

Unexpired term fulfillment or board vacancy is included in Board Policy 0145.

A vacancy occurs on the Board when one (1) of the following events occurs:

- A. death
- B. nonresidence
- C. resignation
- D. failure of the person elected or appointed to qualify as an elector residence within the District within ten (10) days after the organization of the Board or of the appointment or election
- E. failure of the person elected or appointed to qualify due to acceptance of duties incompatible with those of a Board member
- F. removal from the District
- G. absence from meetings of the Board for a period of ninety (90) days, if the absence is caused by reasons declared insufficient by a two-thirds (2/3's) vote of the remaining members of the Board and this vote was taken and entered into the record of the Board not less than thirty (30) days after the absence
- H. removal from office

Whenever a vacancy occurs or when one will occur in the immediate future, the Board shall fill the vacancy at its next regular or special meeting but not earlier than ten (10) days after the vacancy occurs.

The Board shall take the following steps to fill the vacancy:

- A. The Board shall seek qualified and interested candidates from the community through the news media, word of mouth, and contacts with appropriate organizations.
- B. All applicants are to submit a notice of their interest, in writing, to the Board Office.

Appointment by the Board to fill a vacancy shall be by majority vote of the remaining members of the Board.

If the Board fails to appoint a member to its Board within thirty (30) days after the vacancy occurs, the probate court of the county, upon being advised of the failure to fill the vacancy shall act as the Board and perform the duties imposed upon the Board.

The newly-appointed Board member selected to fill a vacancy shall serve the shorter of the following periods:

- A. until completion of the unexpired term, or

- B. until the first day of January immediately following the next regular Board of Education election taking place more than ninety (90) days after a person is selected to fill the vacancy. At that election, a special election to fill the vacancy will be held. However, no such special election shall be held if the unexpired term ends on or before the first day of January immediately following that regular Board election.

Whenever there is a need to have a special Board election to fulfill an unexpired term, the Board shall give written notice to the Board of Elections. The term of a member elected at such a special election shall begin the first day of January immediately following the special Board election and shall be for the balance of the unexpired term.

### **President and Vice President**

By law (R.C. 3313.14), the Board elects at its annual organizational meeting a president and vice president who serve one year terms. Board Policy 0152 sets forth the procedures the Board will follow in electing its officers.

### **Board Resolutions**

The Board takes formal action by adopting written resolutions, although there are matters that can be handled by way of motions without an accompanying resolution, such as when the Board authorizes the administration to enter into negotiations over contracts and real estate matters. All of those actions are captured in the Board's minutes which constitute the official record of Board action.

### **Other Board Member Duties**

In addition to participating in committees and at regular and special Board meetings, Board members in the Xenia Community School system traditionally discharge a variety of other duties, including providing remarks at high school graduation ceremonies, representing the District at school and community conferences, banquets, and other ceremonies for the District's academic and athletic programs. Board members sometimes are guests on public affairs television and radio programs.



### **Compensation of Board Members; Insurance Benefits**

Each member of a Board of Education may be paid compensation as the Board provides by resolution, not exceeding \$125 per meeting attended. The Board may provide by resolution for compensation to board members for attendance at an approved training program. Such compensation may not exceed \$60 per day for attendance at a training program three hours or fewer in length, and \$125 per day for attendance at a training program longer than three hours. The Board's current approved meeting compensation rate is \$125 per meeting attended. No compensation is paid for attendance at committee meetings.

Board members and their dependent family members may elect coverage under insurance benefit plans adopted by the district. Coverage must be elected in writing and announced at a public meeting and entered into the board minutes. The Board member must pay for the cost of such coverage. Board members may authorize the deduction from their compensation of the cost of group insurance payable by them under RC 3313.202.

A Board may vote to increase the compensation of its Members to the maximum permitted by RC 3313.12, but any such increase will not become effective with respect to a particular board member during that member's current term.

A Board member may elect to become a member of the School Employees Retirement System (SERS) by filing an election with the board treasurer within 90 days of taking office.

### **Reimbursement of Expenses**

The Board has established a "service fund" to pay expenses actually incurred by board members or members-elect in their official duties. This fund is used at the Board's discretion to provide for members' participation (not compensation) in workshops and conferences, for new board member orientation and training and for other expenses in connection with assigned duties as permitted by law including those made for a public purpose as defined below.

The amount that may be set aside in a service fund to be used in paying expenses of board members incurred in the performance of their duties, or of members-elect, is \$2 per pupil or \$20,000, whichever is greater. No school district may appropriate or spend more than \$60,000 from such a service fund in any one school year. The current service fund is established at \$10,000 per year.

Board members or members-elect who incur expenses in carrying out their authorized duties will be reimbursed by the District upon submission of a properly filled out and approved voucher with supporting receipts required by administrative regulations. The voucher should be submitted to the executive secretary to the Treasurer.







### **Removal from Office**

A board member, like all other elected officials in Ohio, is subject to removal from office for misconduct through a court proceeding pursuant to Revised Code 3.07 to 3.10. Grounds for removal include willfully and flagrantly exercising authority or power not authorized by law, refusing or neglecting to perform any official duty, gross neglect of duty, gross immorality, drunkenness, misfeasance, malfeasance, or nonfeasance.

Proceedings for removal are commenced by filing a complaint in the form of a recall petition signed by at least 15 percent of the electors who cast a ballot for governor within the District at the last gubernatorial election stating the charges alleged against the member. If that threshold is met, the court conducts a trial on the charges and, if the charges properly allege misconduct and are proven, the Board member is removed from office.

### **Board and Board Member Authority; Board Officers**

In general, a single board member has no authority to direct or order any school employee. The individual members of the Board have no authority to act for or bind the District in a legal sense; binding actions are taken by the Board as a whole at its meetings. The law does, however, vest the Board President with certain responsibilities that are exercised on behalf of the Board, including executing contracts and certain state certifications.

### **Board Organizational Meeting – Election of Officers**

The Board is required to meet each January and conduct an organizational meeting at which the Board President and Vice President are elected for one-year terms. The Board Organizational Meeting is covered in Board Policy 0151. The Treasurer is required to poll the Board members to select a meeting date within the first 15 days in January to hold the meeting. At the organizational meeting, the Board President appoints Members to the Board's standing and ad hoc committees.



### **Board Selection of the Superintendent and Treasurer; Performance Reviews**

The Board is required to employ a Superintendent of Schools and a Treasurer who report directly to the Board. The Superintendent and Treasurer must possess the statutory qualifications in order to hold their positions and be possessed of the proper license issued by the State Board of Education. In 2014, the Board rewrote the Superintendent's job description to reflect the Six Standards for Ohio Superintendents under the following standards: Vision, Continuous Improvement, and Focus of District Work; Communication and Collaboration; Policies and Governance; Instruction; Resources; and Special Projects and Initiatives.

By law (O.R.C. 3319.01 for the Superintendent and 3313.22 for the Treasurer), the Board is to adopt procedures for the regular evaluation of the Superintendent and Treasurer. However, the law does not mandate what those procedures shall be. Further, the law states that the use of an evaluation tool shall not grant these officials an expectation of continued employment so that the Board has the discretion to non-renew the contract of the Superintendent or Treasurer despite favorable evaluations. In Xenia Community Schools, the Board of Education uses the Ohio Superintendent Evaluation System to evaluate the Superintendent. As an early adopter of this form of evaluation, the Board worked to make it align with state superintendent standards as well as be a tool that is specific to our community. Policy 1330 provides for the evaluation of the Treasurer and Policy 1240 addresses the evaluation of the Superintendent. Typically, the Board will conduct the evaluations once each year and perform those evaluations in an executive session of the Board.

### **Board Role in the Employment of Other Personnel**

While the Board directly hires, through an interview process, the Superintendent and the Treasurer, the Board hires all other personnel through the recommendation of the Superintendent. No teacher or administrator may be hired unless nominated by the Superintendent, but a teacher or administrator may be re-employed contrary to the Superintendent's recommendation with a three-fourth's vote of the Board. Once the Board has acted to grant an employee a contract, the law provides that the fact that the parties may not formally sign the contract is irrelevant and the person is still regarded as having a contract.

### **Board Role in the Termination of Employees**

Just as no person can be hired in the District without the Board taking official action, so too the Board must take formal action to terminate an employee or non-renew the individual's contract of employment. The law sets up a process whereby the contract of employment for school employees is deemed automatically renewed for the next year unless formal notice of non-renewal is given to the employee by a specific statutory date. The law also grants to all school employees the right to continue in their employment for the contract period unless there is good cause to terminate the contract. An employee who is alleged to have engaged in conduct warranting termination of employment is entitled to a hearing process and ultimately to an appeal to the Common Pleas Court where the issue of good cause for termination is reviewed.

In Xenia Community Schools, much of the statutory process for hiring and termination is covered by collective bargaining agreements (CBAs) that will supersede the statutory provisions. However, in the case of termination or non-renewal, those CBAs have provisions in them that sometimes grant the employees the right to proceed either under the CBA procedures or the statutory procedures. Termination of employment is obviously a serious matter, and both the CBA and the statutes should be thoroughly reviewed before taking formal action.

## **ETHICS LAWS AND BOARD POLICIES**

### **Ohio's Ethics Laws**

Ohio law requires all public officials and employees to comply with certain ethics laws, which are generally designed to ensure that those who conduct the public's business do so honestly and without improper personal interests playing a role in their decision-making.

Ohio's ethics laws generally prohibit public officials and employees from misusing their official positions for their own personal benefit or the benefit of their family members or business associates.

The Ohio Ethics Laws applicable to Board members are set forth at Revised Code Chapter 102 and Revised Code Section 2923.41. The Ohio Ethics Commission has the power to investigate and enforce these ethics laws.



### **Board Policies Regarding Ethics**

In addition to the ethics laws, which are mandatory and carry penalties for non-compliance, the Board has adopted a Code of Ethics/Code of Conduct. Board members are expected to comply with the Code of Ethics/Code of Conduct is set forth in Board Policy 0123.

The Board of Education believes quality public education and good Board service should be conducted in an ethical manner with traditional principles such as honesty, trust, fairness, and integrity. Each Board member should conform his/her conduct to Ohio law, the code of ethics recommended by the Ohio School Boards Association and the code of conduct as adopted from the National School Board Association publication, *Becoming a Better Board Member*.

## **CHAPTER 4**

### **LEVIES AND LEVY CAMPAIGNS**

Xenia Community Schools, like nearly all public school districts in Ohio, relies upon local property taxes as a significant source of revenue. In Fiscal Year 2020, XCS received approximately \$22.4 million operating funds from local property taxes and \$4.2 million from local income taxes, representing about 51% of its overall general fund revenue of \$51.6 million. XCS presently has in place 40.23 mills of general fund local property taxation.

The Board is responsible for adopting resolutions placing proposed property tax levies on the ballot for consideration by the electors of the District. While the District can provide educational information about the impact of the adoption or failure of a proposed levy, the District may not expend its resources advocating for the adoption of a levy. Levy campaigns in Xenia are run by a committee known as Citizens for Continued Excellence, which raises the campaign funds and directs the expenditure of those funds to promote passage of the levy. Participation on this citizen-run committee is open to any community member interested in serving, including board members. The committee, like all political action committees, must report its revenues and expenditures on forms filed with the Greene County Board of Elections.





## CHAPTER 5

### OPEN MEETING LAWS AND PUBLIC RECORDS

Like all public bodies in Ohio, the Board of Education must conduct its meetings in compliance with the law governing open meetings, Revised Code 121.22. A related statute, Revised Code 149.43, covers the subject of public records. Together, these statutes protect the public's right to know and observe the business being conducted by their representatives. The open meeting law is often referred to as "the Sunshine Law." The "FOIA" law, which is the federal Freedom of Information Act applies to federal agencies only. Finally, the school district must comply with a federal law known as "FERPA," which is the Family Educational Rights and Privacy Act," which generally prohibits the release of student educational records, with certain exceptions.

#### The Open Meeting Law

Revised Code 121.22 requires all public bodies to conduct their meetings only after providing proper notice to the public that a meeting will occur, and then to conduct that meeting in public. The term "public body" includes committees and sub-committees of the main public body. The term "meeting" is defined as "any prearranged discussion of the public business of the public body by a majority of its members." There are certain exceptions to the open meeting requirement permitting the body to hold a closed-door executive session to discuss certain sensitive subjects. The failure to comply with the Open Meeting Law renders actions taken at the improperly held meetings void. The minutes of a meeting of any public body must be promptly prepared, filed, and maintained and be open to public inspection. The minutes need only reflect the general subject matter of discussions in executive sessions.

#### Regular and Special Meetings

At "regular" meetings of the Board, any topic may be discussed and voted upon, even if it did not appear on the agenda. The Board must give notice only of the dates and places of regular meetings. For "special" meetings, however, the Board must give notice of the date, place and purpose of the meeting, and it may only consider those items that it identified as being the purpose of the special meeting. Special meetings may not take place unless the Board gives at least 24-hour advance notice to the members of the news media that requested such advance notice. In the event of an emergency requiring "immediate official action," a special meeting may be held without providing that advance notice, but the news media is to be notified "immediately" of the time, place, and purpose of the meeting.

### **The Public Records Law**

The Public Records Law works hand-in-hand with the Open Meeting Law, requiring all public offices to keep and make available for inspection and copying “public records.” Like the Open Meeting Law, there are also exceptions to the rule permitting in some cases and requiring in others that the requested record remain confidential, such as an employee’s medical records or social security number. Unlike the private sector, however, where personnel records are generally regarded as confidential, the personnel records pertaining to public employees, including performance reviews, are generally not confidential and are open for public inspection.

Under R.C. 149.011 “records” or “public records” includes “any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in R.C. 1306.01, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.”

E-mail and text messages can constitute public records if they meet the above definition.



## CHAPTER 6

### THE BOARD'S POLICY MANUAL

The Board has adopted a comprehensive Policy Manual that describes the District's operations and establishes formal policies for the District. The Xenia Community School District Bylaws and Policies can be found at <https://go.boarddocs.com/oh/xeniaoh/Board.nsf/Public>. Contents: Bylaws – 0000; Administration – 1000; Program – 2000; Professional Staff – 3000; Classified Staff – 4000; Students – 5000; Finances – 6000; Property – 7000; Operations – 8000; Relations – 9000.

### Acknowledgements

The Xenia Board of Education Board Member Handbook is the result of collaboration between members of the XCS Board of Education, XCS Administration, including the Superintendent and Treasurer, and the XCS General Counsel. The Handbook is patterned after the Toledo Board of Education Handbook and the Dayton Public Schools Board of Education Handbook.

## BIBLIOGRAPHY

- DeWine, M. (2015). *Ohio Sunshine Laws 2015: An Open Government Resources Manual*. Retrieved from [www.ohioattorneygeneral.gov/sunshine](http://www.ohioattorneygeneral.gov/sunshine).
- Eadie, D. (2004). *Five Habits of High Impact School Boards*. R. & L. Education Publications
- Jones, O.G. (1990). *Parliamentary Procedure at a Glance*. NY: Penguin Books.
- Heckart, B. H. (1994). *A History of Xenia Schools*.
- LaSota, K., Ryan, C., Reedy, H.F. (Eds.). (2013). *Board-Treasurer Partnership*. Ohio School Boards Association Publication
- LaSota K., Ryan, C., Reedy, H.F., & Clark, S.L. (Eds.). (2013). *Board-Superintendent Partnership*. Ohio School Boards Association publication
- McKay, A. B. & Newcombe, J.P. (2002). *Aligning Resources for Student Achievement*. Alexandria, VA: National School Boards Association
- Ohio School Boards Association (Eds.). 2008. *Board Self-Evaluation Handbook*. Ohio School Boards Association publication.
- Resnick. M.A. (2000). *Communities count: A School Board Guide to Public Engagement*. National School Boards Association.
- Townsend, R.S.; Brown, J.R.; & Buster, W.L. (2005). *A Practical Guide to Effective School Board Meetings*.
- Walser, N. (2013). *The Essential School Board Book*. Cambridge: Harvard Education Pr



Veterans Field at Doug Adams Stadium

