

MEMBERSHIP

0141 **Number**

The Board of Education shall consist of _____ members, in accordance with the District's most recent plan on file with the Ohio Department of Education.

0141.1 **Student-Body Representatives**

The Board may have ___ non-voting representative(s) from the high school student body selected by

() the Board.

() the Superintendent.

() the Student Council.

[] Each representative shall be allowed to participate in Board discussions and attend committee meetings at the discretion of the presiding officer in consultation with the Superintendent.

[] The Superintendent shall arrange for a place on the agenda at which time the student-body representatives shall provide the Board with items of concern and/or interest to the student-body.

[] The Superintendent shall approve any such items to be presented to the Board.

[] The student-body representatives shall be responsible for communicating Board questions or decisions pertaining to students.

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0141.2 **Conflict of Interest**

A Board member shall not have any direct pecuniary interest in a contract with the District; nor shall s/he furnish directly any labor, equipment, or supplies to the District; nor shall s/he be employed by the Board in any capacity for compensation.

In the event a Board member is employed by a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her association with the organization and refrain from debating or voting upon the question of the contract. It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment might conflict and to avoid appearances of conflict of interest even though such conflict may not exist.

Among the conflicts which law specifically forbids:

- A. the prosecuting attorney or city attorney from serving on the Board of Education;
- B. a Board member from serving as the school dentist, physician, or nurse;
- C. a Board member from being employed for compensation by the Board;
- D. a Board member from having, directly or indirectly, any pecuniary interest in any contract with the Board;
- E. a Board member from accepting a reward, gift, or reduction in price for favoring, recommending, or advocating the introduction, adoption, or use in the school of a textbook, map, chart, or any other school supply;

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- F. a Board member, for a period of one (1) year after leaving office, from accepting employment with the Board where such employment was authorized by the Board while s/he was a member thereof;
- G. a Board member from soliciting or using the authority or influence of his/her office to secure employment with the Board;
- H. a Board member from voting, deliberating, participating in discussions, or otherwise using the authority or influence of his/her office to create a position with the School District or to set the compensation for such position where s/he is considering, or is being considered for, employment in that position;
- I. a Board member from having interest in the contract for the purchase of property, supplies, or fire insurance by any county, township, municipal corporation, board of education, or public institution anywhere in the State of Ohio, if such contract exceeds \$150 unless the contract is let by competitive bidding;
- J. a Board member from voting on a contract with that person as a teacher or instructor if s/he is related to that person as father, mother, brother, or sister.

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Board members shall not accept any form of compensation from vendors that might influence their decision on the eventual purchase of equipment, supplies, or services. Furthermore, Board members shall not accept any form of compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from a vendor. In addition, Board members shall not enter into a contractual arrangement with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual Board member receives compensation in any form for services rendered. Such compensation includes, but is not limited to, cash, check, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member receives such compensation, the Board member shall immediately notify the Treasurer, in writing, that s/he received such compensation and shall thereafter promptly transmit such compensation to the Treasurer.

Nothing herein shall prevent a Board member who attends a conference held by an association of public officials and employees from accepting a meal, or attending a reception or open house, the cost of which is financed by a private party so long as the meal, reception, or open house is: (1) of an ordinary, routine character; (2) at an educational or informational event; and (3) open to all of the public officials and employees attending the event. See Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002). A Board member is prohibited from improperly using his/her position to secure the donation of the cost of a meal, reception, or open house at a conference of an association of public officials and employees to which s/he or his/her Board belongs, while the Board member is simultaneously engaged in governmental business or regulatory activity directly affecting the related interests of the person solicited.

REVISED BYLAW 0142 - VOL. 35, NO. 2
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A Board member whose spouse is an employee in the District may not vote, authorize, or use the influence of his/her office to secure approval of an employment contract with his/her spouse. Neither may s/he vote, deliberate, discuss, or otherwise attempt to influence a collectively-bargained, negotiated agreement affecting his/her spouse if the spouse is an officer, executive committee member, or member of the negotiating team or committee of the employee organization or if the agreement includes provisions for health insurance under which said Board member is covered as a benefit of the spouse's employment.

R.C. 102.03(D)(E)(F), 2921.42(A)(3), 2921.44(D-F)
R.C. 2921.02, 3313.13, 3313.33, 3313.70, 3319.21

0142

Qualifications and Terms of Office

All members of the Board serving unexpired terms as of September 29, 2013, may continue in office until the expiration of their terms. If a member leaves office for any reason prior to the expiration of that member's term, the vacancy shall be filled only in the manner provided below.

- A. The manner of appointment and the total number of members appointed to the Board shall be in accordance with the most recent plan for the District on file with the Ohio Department of Education. The Board may submit an application one time to the superintendent of public instruction for approval to revise its plan to stagger the members' terms of office.
- B. A qualified shall either be a current elected Board member of a School District that is a member of the District or an individual who has experience or knowledge regarding the labor needs of the State or region with an understanding of the skills, training and education needed for current or future employment opportunities in the State.

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An appointing Board may give preference to individuals who have served as members on a joint vocational school business advisory committee who otherwise meet the statutory qualifications.

- C. Members of the Board appointed on or after September 29, 2013, shall serve for three (3) year terms of office.

[] ~~A "rotating" member appointed in accordance with the Board plan shall serve for a one (1) year term of office. All other qualification requirements apply.~~

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- D. Each member shall meet the qualifications otherwise specified by law and courts of competent authority (R.C. 3313.01, R.C. 3313.13)
- E. Members shall not be employed as a prosecuting attorney, city solicitor, or other official acting in a similar capacity (R.C. 3313.13), and not have, directly or indirectly, any pecuniary interest in any contract of the Board or be employed in any manner for compensation by the Board. (R.C. 3313.33)
- () and shall be at least eighteen (18) years of age.

0142.1

Oath

Each member of the Board shall, before entering his/her duties of office, take an oath to support the Constitution of the United States and the Constitution of the State of Ohio and to perform faithfully the duties of his/her office. (R.C. 3313.10)

0142.3 **Orientation**

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning. The Board encourages each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and learn Board procedures. Accordingly, the Board shall give to each new Board member,

- () no later than his/her first regular meeting as a Board member,

for his/her use and possession during the term on the Board the following items:

- A. a copy of the Ohio Ethics Law as required by R.C. 102.09(D);
- () a copy of the Board policy manual;
- () a copy of the District procedures manual;
- () a copy of each current negotiated agreement;
- () the current budget statement, audit report, and related fiscal materials.
- [] The Board will provide and maintain a library of publications and reference materials for the use of Board members.
- [] Each new Board member shall be invited to meet with:
 - () the Board President
 - () the Superintendent
 - () the Treasurer

to discuss Board functions, policies, and procedures.

- [] The Board shall encourage the attendance of each new Board member at orientation and training meetings.

R.C. 3315.15

0143

Appointment/Filling a Board Vacancy

A member may be appointed to the Board upon an opening thereto, in accordance with the manner of appointment prescribed in the most recent plan for the District on file with the Ohio Department of Education and with the qualifications set forth in Bylaw 0142.

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

- A. death
- B. resignation
- C. failure of the person appointed to qualify due to acceptance of duties incompatible with those of a Board member
- D. absence from meetings of the Board for a period of ninety (90) days, if the absence is caused by reasons declared insufficient by a majority vote of the remaining members of the Board.

0147

Compensation

Choose Option #1, #2a, or #2b

Option #1 (If this option is selected, do not select from Options 2, 3, or 4).

- [] Board members shall not receive compensation for their services. R.C. 3313.12

Option #2a

- ☐ Members shall be compensated for meetings in an amount determined by the Board, not to exceed the maximum allowable compensation permitted by law plus mileage.
☐ Each Board member shall be compensated in any one (1) year for meetings as determined annually by the Board.

Option #2b

- ☐ Members shall be compensated for meetings in an amount equal to the maximum allowable compensation permitted by law plus mileage. ☐ Each Board member shall be compensated in any one (1) year for meetings as determined annually by the Board.

Choose Option #3a or #3b (Choose from these options if the Board will pay for training programs for Board members).

Option #3a (This option suggested if Option #2a above was chosen).

- ☐ Additionally, members shall receive compensation for attendance at training programs in an amount determined by the Board, not to exceed the maximum per day rate permitted by law for programs that are three (3) hours or less, or not to exceed the maximum per day rate permitted by law for programs that are longer than three (3) hours.

Option #3b (This option suggested if Option #2b above was chosen).

- ☐ Additionally, members shall receive compensation for attendance at training programs in an amount equal to the maximum per day rate permitted by law for programs that are three (3) hours or less, or not to exceed the maximum per day rate permitted by law for programs that are longer than three (3) hours.

Chose Option #4a or #4b

Option #4a (This option suggested if Option #2a and/or #3a above were chosen).

- [] Should the Board provide for an increase in the amount of compensation Board members may receive for the upcoming year by resolution, only newly elected and re-elected members will be eligible to receive the increase effective with the first day of their new or subsequent term. Current members will continue to be paid at the rate in effect prior to the passage of the resolution and will only receive the increased compensation, if re-elected, effective with the first day of their subsequent term.

Option #4b (This option suggested if Option #2b and/or #3b above were chosen).

- [] Should State law be amended to provide for an increase in the amount of compensation members may receive for the upcoming year, only newly elected and re-elected members will be eligible to receive the increase, effective with the first day of their new or subsequent term. Current members will continue to be paid at the rate in effect prior to the passage of the resolution and will only receive the increased compensation, if re-elected, effective with the first day of their subsequent term.

[NOTE: END OF OPTIONS]

R.C. 3313.12, 3313.202(D)

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[] Expenses of a Board member incurred in the performance of his/her duties

() and expenses of a member-elect in training and orientation

will be paid from the Board Service Fund, provided that each such member

() or member-elect

submits a written statement of his/her expenses for approval by the Board at its next regular meeting. (R.C. 3315.15)

A Board member may request coverage for himself/herself and/or family in the District's group health care plan. The Board member must pay all premiums for the coverage and must exercise this option in writing, announced at a regular meeting and recorded in the minutes. This does not constitute "pecuniary interest" in any contract. (R.C. 3313.12, 3313.202.

Within thirty (30) days after a Board member initially takes office, s/he must elect whether to become a member of the School Employees Retirement System ("SERS") in accordance with R.C. 3309.012 and A.C. 3309-1. The election shall be irrevocable while the Board member continuously holds office. If the Board member does not elect membership in the SERS, s/he shall forever be barred from claiming or purchasing membership rights or credit for the particular period of holding office for which the election and notice was required.

The Board member shall notify the Treasurer whether or not s/he wishes to participate. If the Board member elects membership in the SERS, the Treasurer shall file proper notice of the person's election with the SERS Board. Any Board member failing to make a selection shall be considered to have elected not to become a member of the SERS for the particular period for which election was required.

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- [] Board members shall not receive compensation for their services. (R.C. 3313.12)

The following guidelines have been established by the Board of Education to facilitate appropriate and proper reimbursement of expenses for Board members. Such expenses will be paid from the Board Service Fund. However, under no circumstances will Board members be reimbursed for the purchase of alcoholic beverages.

OR

The Board shall establish a Board Service Fund which shall not exceed the greater of two dollars (\$2.00) per enrolled student or \$20,000. The Board Service Fund shall be set aside from the General Fund on an annual basis by resolution of the Board and shall be used to pay expenses actually incurred by Board members in the performance of their official duties. Such Fund may also be used to pay for the expenses actually incurred by newly elected Board members relative to training and orientation to the performance of their duties prior to taking office. The following guidelines shall govern the reimbursement of expenses for Board members. However, under no circumstances will Board members be reimbursed for the purchase of alcoholic beverages.

- [] Expenses will be reimbursed only for activities authorized by the Board.
- [] Reimbursement for mileage will not exceed the current rate permitted by law.
- [] Attendance at Board-approved conferences should be at the location closest to the District.
- [] When attending a Board-approved conference, all fees, parking, mileage, meals, and housing can be submitted for approval.

- [] Purchase of any printed or other materials necessary in the performance of Board member duties will be reimbursed if prepurchase approval is given by the Board. If such approval is not possible or feasible, a voucher must be submitted to the Board for approval. No postpurchase voucher will be approved if it exceeds \$_____.
- [] No entertainment expenses are reimbursable.
- [] A voucher detailing the amount and nature of each expense must be submitted to the Board for approval within _____ days after the expenses have been incurred.

0148

Public Expressions of Members

The Board President functions as the official spokesperson for the Board.

From time-to-time, however, individual Board members make public statements on school matters:

- A. to local media.
- B. to local officials and/or State officials.

Board members should, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

- A. This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:
 - 1. Correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter.

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2. Routine, not for publication, correspondence of the Superintendent and other Board employees.
 3. "Campaign articles" or "position papers" of candidates for elections to the Board.
 4. Routine "thank you" letters of the President of the Board.
 5. Statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board).
 6. Personal statements not intended for publication.
 7. Postelection statements by Board members thanking citizens for voting for them.
- B. Copies of this bylaw shall be sent to local media by the Board President.

0148.1 **Board-Staff Communications**

The Board of Education desires to maintain open channels of communication between itself and the staff. The basic line of communication, will, however, be through the Superintendent.

A. Staff Communications to the Board

Communications from staff members to the Board or its committees shall be submitted through the Superintendent. The Superintendent shall forward such communications received from staff members to the Board. This procedure is not intended to deny any staff member his/her constitutional right of free speech or the right to appeal to or otherwise address the Board on important matters through established procedures.

B. Board Communications to Staff

All official communications, policies, and directives of the Board of staff interest and concern to the staff will generally be communicated through the Superintendent, who shall also keep staff members informed of the Board's concerns and actions.

C. Social Interaction

Both staff and Board members share an interest in the schools and in education generally, and it is to be expected that when they interact at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the District. However, since individual Board members are not authorized to act on behalf of the Board unless in open public session or when specifically vested with such authority, it will be considered to be unacceptable conduct for Board members to discuss individual personalities, personnel grievances, or other complaints with members of the staff. Instead, staff members should be encouraged to utilize the procedures, established in Board Policy or the collective bargaining agreement to have their concerns, complaints, or grievances addressed.

0149

Authority

Individual members of the Board do not possess the powers that reside in the Board of Education.

[] but no member of the Board shall be denied documents or information to which s/he is legally entitled and which are required in the performance of his/her duties as a Board member.

Access to District personnel and student records shall be subject to Board policies and applicable State and Federal law.

Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions on such matters as appointments, assignments, promotions, demotions, remuneration, discipline and dismissal, or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.