The Youngstown Board of Education met in regular session at the I.L. Ward Building on December 27, 2012. President Lock P. Beachum, Sr. called the meeting to order at 5:02 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: Murphy, Atkinson, Beachum, Haire-Ellis, Kimble
Members absent: Mahone, Hanni

Board members discussed agenda items.

Ms. Hanni entered the meeting at 5:12 p.m.

EXECUTIVE SESSION

At 5:19 p.m. Mr. Murphy moved, seconded by Ms. Haire-Ellis that board members adjourn to executive session to discuss the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or the investigation of charges or complaints against an employee, official, licensee or student, unless the employee, official, licensee or student requests a public hearing. On roll call vote the results were as follows:

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

Board members recessed executive session at 5:42 p.m.

The regular portion of the meeting reconvened at 5:47 p.m.

APPROVAL OF AGENDA

As the first item of business, Mr. Beachum called for a motion approving the agenda. Mr. Atkinson moved that the agenda be approved as amended with the addition of Resolution No. 233-12, resolution to modify agreement with ComDoc. It was seconded by Ms. Hanni. On roll call vote the results were as follows:

Ayes: Murphy, Atkinson, Beachum, Haire-Ellis, Hanni, Kimble
Nays: None
Motion carried, and the agenda was approved as amended.

COMMUNICATIONS

There were no oral or written communications.

CITIZEN PARTICIPATION

President Beachum called for citizen participation. There were no requests to address the Board.

COMMENTS

Ms. Kimble noted her appreciation to those who attended the calling hours for her nephew, Kevin Jackson.

Ms. Haire-Ellis made note of the good things being done for the school district.

Mr. Murphy noted that there was an article in the OSBA Briefcase highlighting Choffin Career & Technical Center.

NEW BUSINESS

CONSENT AGENDA

Mr. Atkinson offered a motion to place Resolution No. 215-12 through Resolution No. 233-12 on a Consent Agenda. Mr. Murphy seconded the motion, and on roll call vote the results were as follows:

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

Motion carried.

Mr. Beachum then entertained a motion to adopt the Consent Agenda. Mr. Atkinson moved adoption of the Consent Agenda, seconded by Ms. Hanni which included Resolution No. 215-12 through Resolution No. 233-12 summarized as follows:

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

Motion carried.
RESOLUTION NO. 215-12

RESOLUTION ESTABLISHING FUNDING RATES FOR YOUNGSTOWN CITY SCHOOL DISTRICT'S SELF-FUNDED INSURANCE PROGRAMS

WHEREAS, the Board of Education provides medical, dental, prescription, and vision insurance to certain of its employees through self-funded programs administered by various providers (as indicated below); and

WHEREAS, the Board of Education has established on the financial records of the District a fund to account for those programs; and

WHEREAS, the Board of Education desires to maintain such balances in those accounts to provide sufficient funds to pay claims as they are presented for payment and to comply with ORC 9.833 which requires that the District maintain certain reserves to meet incurred but not reported claims which may be presented at a future but not determined time; and

WHEREAS, the Board of Education has been successful in meeting the requirements of ORC 9.833 for FY00, FY 01, FY02 and FY03 desires to continue in that mode; and

NOW, THEREFORE, BE IT RESOLVED, that in order to meet present and future obligations of the self-funded insurance programs the Board, by this action, establishes the following monthly premium rates effective January 1, 2013 as per attached.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
RESOLUTION NO. 216-12

RESOLUTION ESTABLISHING THIRD PARTY PROVIDER FOR ADMINISTRATIVE SERVICES FOR HEALTH BENEFITS

WHEREAS, the Board of Education provides medical, dental, prescription, and vision insurance to certain of its employees through self-funded programs administered by various providers;

NOW, THEREFORE, BE IT RESOLVED, based on the recommendation of the interim treasurer, Anthem will be the Third Party provider of Administrative Services for Health Benefits from January 1, 2013 until December 31, 2013.

Fund 001 $ 970,533.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
The Public Schools  
Youngstown, Ohio  
Office of the Superintendent

RESOLUTION NO. 217-12

RESOLUTION TO APPROVE REVISED POLICY ON WHISTLEBLOWER PROTECTION (ADMINISTRATION)

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 4113.52, adopted a policy setting forth the expectation that all its employees be honest and ethical in their conduct and comply with applicable State and Federal law, Board policies and administrative guidelines; and

WHEREAS, the Board encourages staff to report possible violations of these Board expectations to their immediate supervisors; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Whistleblower Protection” at Section 1411 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 “Whistleblower Protection,” a copy of which is attached hereto and made a part hereof by this reference.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
WHISTLEBLOWER PROTECTION

The Board of Education expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages staff to report possible violations of these Board expectations to their immediate supervisors.

It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee’s immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent or Board President.

After such a report is made, the immediate supervisor will ask that employee’s report be put in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law that the Board has the authority to correct and they do not make a report confirmed in writing to their immediate supervisor.

In the case of reporting suspected fraud or fraudulent activity, an employee may file a report using the Auditor of State’s system for reporting of fraud. This reporting mechanism may be used either in addition to or instead of filing a written report with the employee’s supervisor or other District authority.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

R.C. 4113.52

Adopted: 12/15/10
Revised:
RESOLUTION NO. 218-12

RESOLUTION TO APPROVE REVISED POLICY ON WHISTLEBLOWER PROTECTION (PROFESSIONAL STAFF)

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 4113.52, adopted a policy setting forth the expectation that all its employees be honest and ethical in their conduct and comply with applicable State and Federal law, Board policies and administrative guidelines; and

WHEREAS, the Board encourages staff to report possible violations of these Board expectations to their immediate supervisors; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Whistleblower Protection” at Section 3211 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 “Whistleblower Protection,” a copy of which is attached hereto and made a part hereof by this reference.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
WHISTLEBLOWER PROTECTION

The Board of Education expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages staff to report possible violations of these Board expectations to their immediate supervisors.

It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee’s immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent or Board President.

After such a report is made, the immediate supervisor will ask that employee’s report be put in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law that the Board has the authority to correct and they do not make a report confirmed in writing to their immediate supervisor.

In the case of reporting suspected fraud or fraudulent activity, an employee may file a report using the Auditor of State’s system for reporting of fraud. This reporting mechanism may be used either in addition to or instead of filing a written report with the employee’s supervisor or other District authority.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

R.C. 4113.52

Adopted: 12/15/10
Revised:
RESOLUTION NO. 219-12

RESOLUTION TO APPROVE REVISED
POLICY ON WHISTLEBLOWER PROTECTION (CLASSIFIED STAFF)

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 4113.52, adopted a policy setting forth the expectation that all its employees be honest and ethical in their conduct and comply with applicable State and Federal law, Board policies and administrative guidelines; and

WHEREAS, the Board encourages staff to report possible violations of these Board expectations to their immediate supervisors; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Whistleblower Protection” at Section 4211 of its Policy Manual.

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

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
WHISTLEBLOWER PROTECTION

The Board of Education expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages staff to report possible violations of these Board expectations to their immediate supervisors.

It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee’s immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent or Board President.

After such a report is made, the immediate supervisor will ask that employee’s report be put in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law that the Board has the authority to correct and they do not make a report confirmed in writing to their immediate supervisor.

In the case of reporting suspected fraud or fraudulent activity, an employee may file a report using the Auditor of State’s system for reporting of fraud. This reporting mechanism may be used either in addition to or instead of filing a written report with the employee’s supervisor or other District authority.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

R.C. 4113.52

Adopted: 12/15/10
Revised:
RESOLUTION NO. 220-12

RESOLUTION TO APPROVE REVISED POLICY
ON STUDENT ASSESSMENT AND
ACADEMIC INTERVENTION SERVICES

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C. 3301.079, .0710, .0711, .0714, .0715, 3313.608, 3313.608(D), 3313.6012, and A.C. 3301-13, 3301-35, adopted a policy access student achievement and needs in all program areas in compliance with State law and the rules adopted by the State Board of Education; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Student Assessment and Academic Intervention Services” at Section 2623 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 Assessment And Academic Intervention Services,” a copy of which is attached hereto and made a part hereof by this reference.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

Ayes:
Nays:

Motion carried.

12/27/12
STUDENT ASSESSMENT AND ACADEMIC INTERVENTION SERVICES

The Board of Education shall assess student achievement and needs in all program areas in compliance with State law and the rules adopted by the State Board of Education. The purpose of such assessments will be to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of this District.

The Board shall administer the State-mandated tests (e.g., diagnostic assessments and achievement tests) to students at the times designated by the State Board of Education. The Board may, for medical reasons or other good cause, excuse a student from taking a State-mandated test on the date scheduled, but any such test shall be administered to such excused student not later than nine (9) days following the scheduled date. The Board shall annually report, not later than June 30th, the number of students who have not taken one (1) or more of the State-mandated tests to the State Board of Education.

The District shall require that all appropriate staff have knowledge of the prescribed standards of ethical assessment practice and shall monitor the assessment practices for compliance with these standards. These duties shall include:

A. communicating standards of ethical assessment practice;

B. communicating security procedures for assessment;

C. establishing procedures for reviewing assessment materials and procedures and assessment preparation materials and procedures;

D. establishing channels of communication that allow teachers, other educators, students, parents, and other members of the community to voice concerns about assessment practices;

E. establishing written procedures for investigating complaints, allegations, and/or concerns about assessment practices, protecting the rights of an individual, the integrity of an assessment, and the results of an assessment.
The Board shall provide academic intervention services in pertinent subject areas to students who score below the proficient level on reading, writing, mathematics, social studies, or science achievement tests, or who do not demonstrate academic performance at their grade level based on the results of a diagnostic assessment.

At least annually, staff members will assess the academic achievement and learning needs of each student. Procedures for such assessments may include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing program, and physical examinations.

The Superintendent shall develop and present to the Board annually a program of testing that includes:

A. administration of State-mandated tests (e.g., diagnostic assessment and achievement test), at no cost to students, in accordance with the provisions of A.C. 3301-13-02;

B. performance-based tests at appropriate grade levels to measure achievement objectives in composition, mathematics, science, social studies, and reading;

C. aptitude tests;

D. district or teacher-made achievement or performance tests;

E. career technical inventories;

F. tests of mental ability;

G. portfolios;

H. demonstrations of student capability in nonschool settings.

“Achievement tests” means “a test, aligned with the Ohio academic content standards and model curriculum, designed to measure a student’s level of knowledge or skill in a specific subject area that is expected at the end of a designated grade and/or is required as part of the Ohio graduation requirement.”

Alternate assessment” means “the use of an assessment instrument, other than the Ohio achievement tests or diagnostic assessments, that meets the requirements of all applicable Federal and State laws and A.C 3301-13-03.”
“Diagnostic assessments” means “an assessment aligned with Ohio academic content standards and model curriculum, designed to measure student comprehension of academic content and mastery of related skills for a relevant subject area at each grade level, kindergarten through three, as defined in R.C. 3301.079.”

“Ohio graduation tests” means the achievement tests, aligned with academic content standards and model curriculum, designed to measure a student’s level of academic achievement expected at the end of the tenth grade in writing, reading, mathematics, social studies, and science.”

“Performance standards” means “a score adopted by the State Board of Education indicative of a particular level of academic achievement at a designated grade for each achievement test or alternate assessment.”

“Statewide tests” means “any assessment that is provided by the Ohio Department of Education (ODE) for use in all participating schools in the State.”

The Superintendent shall develop:

A. procedures for the regular collection of student performance data;

B. a plan for the design of classroom-based intervention services to meet the individual students as determined by the results of diagnostic assessments; and

C. procedures for using student performance data to evaluate the effectiveness of intervention services and, if necessary, to modify such services.

For any student who failed to demonstrate at least a score at the proficient level on an achievement test during the preceding school year, the Board shall provide appropriate intervention services commensurate with the student’s test performance in each such test area, including intensive prevention, intervention, or remediation required under R.C. 3301.0711, 3301.0715, 3313.608, or 3313.6012.

The Board shall require that:

A. parents be informed of the testing program of the schools and of the special tests that are to be administered to their children;

B. data regarding individual test scores be entered on the student’s cumulative record, where it will be subject to the Board’s student records policy;
C. the aggregate results of each school-wide, program-wide, and District-wide test be made part of the public record.

Summer remediation services shall meet the following conditions:

A. the remediation methods are based on reliable educational research

B. testing will be conducted before and after students participate in the program to facilitate monitoring results of the remediation services

C. the parents of participating students will be involved in programming decisions

D. the services will be conducted in a school building or community center and not on an at-home basis.

The Board shall keep records for each student including the following:

A. a unique State student identification code or a student data verification code as required in accordance with R.C. 3301.0714(D)(2)

B. a list or designation of which tests are required and which tests are not required

C. a list or designation of which test, required or not required, are taken and which are not taken at each test administration period

D. score for each test taken, required or not

E. whether each student attained the requisite performance standard designated for each required test

F. what if any tests must still be taken

G. whether or not intervention must be provided

H. for each test required for graduation, the date passed must be recorded on the student’s transcript

No information shall be on the student’s transcript for a test not passed.
When a student who has taken State-mandated tests in one (1) school leaves that school to enroll in another school, the school previously attended shall provide, immediately upon request by a school official from the enrolling school, all applicable records set forth above.

For each student required to be offered intervention services, the Board shall involve the student’s parent or guardian and classroom teacher in developing the intervention strategy, and shall offer to the parent or guardian the opportunity to be involved in the intervention services.

During the school year following the year in which the tests prescribed by R.C. 3302.0710(A)(1) are administered to any student, the Board shall provide appropriate intervention services, commensurate with the student’s test performance, including any intensive prevention, intervention, or remediation required under R.C. 33010711, 3301.0715, 3313.608 or 3313.6012, in any skill in which the student failed to demonstrate at least a score of proficient level on an achievement test.

Except as authorized by State law, the Board shall not use any student’s failure to attain a specified score on any State-mandated test as a factor in any decision to deny the student promotion to a higher grade level.

All identified students with disabilities in the School District shall be considered for participation in the State-mandated testing. The extent of the student’s participation shall be determined by the IEP Team. Accordingly, the student’s IEP shall require that s/he take:

A. required assessments in the same manner as other students;

B. required assessments with accommodations appropriate for his/her disability; or

C. an alternate assessment that has been approved by the State Department of Education.

To the extent possible, and in accordance with law, a student with disabilities shall not be excused from taking a required assessment unless no reasonable accommodation can be made to enable the student to take the assessment.
The Superintendent shall implement administrative guidelines that comply with the State Department’s regulations with regard to the administration of the State-mandated tests, including the reporting of results.

Program evaluations will be reviewed and updated every five (5) years. A schedule for such will be developed and implemented by the Superintendent.

This policy shall be reviewed and updated annually.

See Policy 2723.02 – Third Grade Reading Guarantee

R.C. 3301.079, 0710, .0711, .0714, 0715, 3313.608, 3313.608(D), 3313.6012
A.C. 3301-13, 3301-35

Adopted: 8/24/04
Revised: 3/24/09
Revised:
RESOLUTION NO. 221-12

RESOLUTION TO APPROVE REVISED POLICY ON EDUCATIONAL OPTIONS

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to the State Board of Education Minimum Standards 3301-35-01 (D) and 3301-35-02 (C), adopted a policy to provide alternative means by which students achieve the goals of the District; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Educational Options” at Section 2370 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 “Educational Options,” a copy of which is attached hereto and made a part hereof by this reference.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
EDUCATIONAL OPTIONS

The Board of Education recognizes the need to provide alternative means by which students achieve the goals of the District.

Educational options are learning experiences or activities that are designed to extend, enhance, supplement, or serve as an alternative to classroom instruction.

The Superintendent shall prepare a plan of educational options for use in meeting a variety of student needs. Such options will include the District's Credit Flexibility Plan, traditional AP classes as well as AP distance learning classes, tutorial programs, independent study, educational travel, project portfolios, internships, mentorship programs, College in High School and early college entrance.

A program of studies will be provided to each student and parent. A parent or guardian shall also be required to sign an agreement of support and acknowledgment of responsibilities before a student participates in an available educational option.

Participation in an educational option shall be in accordance with an instructional and performance plan which will be developed based on the individual student's needs. The instructional plan will include:

A. instructional and performance objectives that align with District's curriculum requirements;

B. a description of the criteria and method for assessing student performance;

C. an outline of specific instructional activities, materials and learning environments.

Participation must be subject to the oversight of a credentialed teacher who will review the instructional plan which may include providing, supervising, or reviewing instruction or learning experiences, and the evaluation of student performance.

Both College and high school credit for approved educational options shall be assigned according to student performance relative to stated objectives of the approved instructional and performance plan and in accordance with District policy and established administrative guidelines.
The District shall communicate information and procedures related to credit flexibility and educational options available in the District to students, parents, and interested stakeholders.

The Superintendent shall develop the administrative guidelines necessary to implement this policy.

A.C. 3301-35-06(G)

Adopted: 8/24/04
Revised: 2/14/11
RESOLUTION NO. 222-12

RESOLUTION TO ADOPT POLICY
ON THIRD GRADE READING GUARANTEE

WHEREAS, the Board of Education of the Youngstown City School District expects all students entering the third grade to demonstrate a certain level of competency in reading before advancing to the fourth grade; and

WHEREAS, the Superintendent has developed and recommended to this Board adoption of the attached policy entitled, “Third Grade Reading Guarantee.”

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Youngstown City School District that the policy entitled, “Third Grade Reading Guarantee,” recommended by the Superintendent, a copy of which is attached hereto and incorporated herein by this reference, is hereby ratified, approved and adopted by this Board.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
THIRD GRADE READING GUARANTEE

All students entering the third grade must demonstrate a certain level of competency in reading before advancing to the fourth grade.

In accordance with State law, the Superintendent shall develop a program for the annual assessment of the reading skills of each student at the end of first and second grade, and identify those students who are reading below their grade level. Each student's classroom teacher shall be involved in the assessment and identification of those students who are reading below grade level.

Definitions

“On track” means any student who is reading at grade level based on previous end of year standards expectations by September 30th.

“Not on track” means any student who is not reading at grade level based on previous end of year standards expectations by September 30th.

Assessment of Reading Skills Program

A. An English language arts (ELA) diagnostic assessment, as approved by the Ohio Department of Education (ODE), shall be given by September 30th of each year for students in kindergarten through Grade 3.

B. Diagnostic assessment results shall be translated to ODE’s definitions of “on track” and “not on track”. The District shall make the final determination regarding whether a student is “on track” or “not on track”.

C. If the diagnostic assessment shows that a student is “not on track” to be reading at grade level by the end of the year, the parent will be notified, in writing, of the following:

1. that the school has identified a reading deficiency with the child

2. a description of current services provided to the student
3. a description of proposed supplemental instruction services

4. that the Ohio Achievement Assessment for third-grade reading is not the only measure of reading competency, and

5. that unless the student attains the appropriate level of reading competency by the end of Grade 3, the student will be retained

D. For each student identified to be “not on track”, the District shall:

1. begin reading intervention immediately using research-based reading strategies targeted to the student’s identified reading deficiencies;

2. develop a reading improvement and monitoring plan within sixty (60) days of learning of the reading deficiency;

3. provide a teacher who has either passed a reading instruction test or has a reading endorsement on their teacher’s license [This is required beginning with the 2013-2014 school year].

Reading Improvement and Monitoring Plan

The reading improvement and monitoring plan developed for students identified as “not on track” shall include:

A. identification of the student’s specific reading deficiency;

B. a description of proposed supplemental instruction services that will target the student’s identified reading deficiencies;

C. opportunities for the student’s parent/guardian to be involved in the instructional services;

D. a process to monitor the implementation of the student’s instructional services;

E. a reading curriculum during regular school hours that assists students to read at grade level, provides reliable assessments, and provides ongoing analysis of each student’s reading progress; and
F. a statement that unless the student attains the appropriate level of reading competency by the end of Grade 3, the student will be retained.

Such intervention services shall include instruction in intensive, systematic phonetics pursuant to rules adopted by the State Board of Education.

Reporting Requirements

All assessment results and determinations shall be compiled and maintained by the District. The District shall comply with all reporting requirements of Ohio’s Third Grade Reading Guarantee.

Promotion/Retention

For any student who attains a score in the range designated by statute on the third-grade reading achievement test, the District shall do one of the following:

A. promote the student to fourth grade if the student’s principal and reading teacher agree that other evaluations of the student’s skill in reading demonstrate that the student is academically prepared to be promoted to the fourth grade;

B. promote the student to fourth grade, but provide the student with “intensive” intervention services in fourth grade; or

C. retain the student in the third grade.

For any student who does not attain by the end of the third grade at least a score in the range designated by statute in the reading test prescribed under R.C. 3301.0710(A)(2)(c), the District shall offer intensive remediation services during the summer following third grade.
Beginning with students who enter the third grade in the 2013-2014 school year, no student shall be promoted to the fourth grade who attains a score in the range designated by R.C. 3310.0710(A)(3) on the assessment prescribed to measure skill in English language arts (ELA) expected at the end of third grade unless one of the following applies:

A. the student is limited English proficient student who has been enrolled in United States schools for less than two (2) full school years and has had less than two (2) years of instruction in an English as a second language program; or

B. the student is a child with a disability entitled to special education and related services under R. C. Chapter 3323 and the student’s individualized education program (IEP) exempts the student from retention under this division; or

C. the student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Department of Education (ODE); or

D. all of the following apply:

1. The student is a child with a disability entitled to special education and related services under R.C. Chapter 3323.

2. The student has taken the third grade English language arts achievement assessment, as prescribed.

3. The student’s IEP under Section 504 of the Rehabilitation Act of 1973, as amended, shows that the student has received intensive remediation in reading for two school years, but still demonstrates a deficiency in reading.

4. The student previously was retained in any of grades kindergarten to three.
E. the student received intensive remediation for reading for two school years but still demonstrates a deficiency in reading and was previously retained in any of grades kindergarten to three. Any such student shall continue to receive intensive reading instruction in grade four. The instruction shall include an altered instructional day that includes specialized diagnostic information and specific research-based reading strategies that have been successful in improving reading among low-performing readers.

A student retained under the provisions of the Third Grade Reading Guarantee and this policy shall be considered for mid-year promotion if that student demonstrates that s/he is reading at or above grade level, in accordance with the provisions of Policy 5410 – Promotion, Academic Acceleration, Placement, and Retention. Such action shall be considered in consultation with the parent/guardian and the Student Intervention Team and with the concurrence of the building administrator.

Intensive Remediation Services

Remediation services for students on reading improvement and monitoring plans in shall be research-based reading strategies that have been shown to be successful in improving reading among low-performing readers.

If a student has already been retained by the Third Grade Reading Guarantee, intervention services must include at least ninety (90) minutes of reading daily.

The District shall provide the option for students to receive reading intervention services from one or more providers other than the District. Both the District and ODE have the authority to screen and approve such providers.

Interventions for students who have been retained may include:

A. small group instruction;
B. reduced student-teacher ratios;
C. more frequent progress monitoring;
D. tutoring or mentoring;
E. transition classes containing third and fourth grade students;
F. summer reading camp; or

G. extended school day, week, or year.

Intensive remediation services shall be targeted to the student’s identified reading deficiency.

This policy shall be reviewed and updated periodically as necessary.

R.C. 3301.079, 0710, .0711, .0714, .0715, 3313.608, 3313.608(D), 3313.6012
A.C. 3301-13, 3301-35

Adopted:
RESOLUTION NO. 223-12

RESOLUTION TO APPROVE REVISED POLICY
ON ENTRANCE REQUIREMENTS

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C 3313.64, 3313.641, 3313.672, 3313.673, 3321.01 et seq., 3321.05, 3323.01 and 3324.10, adopted a policy to make and enforce such rules regarding promotion/retention of students; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Entrance Requirements” at Section 5112 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, “Entrance Requirements,” a copy of which is attached hereto and made a part hereof by this reference.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
ENTRANCE REQUIREMENTS

The Board of Education establishes the following entrance age requirements for students, which are consistent with statute and sound educational practice, and directs that all eligible students be treated in an equitable manner.

**Preschool**

A child is eligible for entrance into preschool if s/he attains the age of three (3) on or before September 30th of the year in which s/he applies for entrance and has not yet attained the age at which s/he will be admitted to kindergarten.

**Kindergarten**

A child is eligible for entrance into kindergarten if s/he attains the age of five (5) on or before September 30th of the year in which s/he applies for entrance. The Board may admit a younger child to kindergarten if the child satisfies the Board's early entrance criteria. A child under age six (6) who is enrolled in kindergarten will be considered of compulsory school age.

The Board will admit to kindergarten any child who has not attained the entrance age requirement of this District, but who was properly enrolled in a public or chartered nonpublic school kindergarten before transferring to the District.

While the District operates an all-day kindergarten program, a parent may enroll his/her child for only the minimum number of hours required by State law without penalty, and the Board shall accommodate such students.
First Grade

A child is eligible for entrance into first grade if s/he attains the age of six (6) on or before September 30th of the year in which s/he applies for entrance and has completed the kindergarten program of this District or an equivalent program elsewhere and has been recommended by the teacher for advancement to the first grade. The Board may admit to first grade a younger child who has successfully completed kindergarten if the child satisfies the Board's early entrance criteria.

Required Documents

The Superintendent shall require that each child who registers for entrance to school provide:

**REGISTRATION REQUIREMENTS**

| Registration for students entering the Youngstown City School District will be completed at the student’s assigned school or locations approved by the Superintendent. |

A. All students must be registered by their parent(s) or court appointed legal guardian. A court appointed guardian must present guardianship papers at the time of enrollment. In case of divorce, the custodial parent must provide a certified copy of any custody order or decree together with any modification in such an order or decree.

B. Students new to the district: an official copy of the student’s BIRTH CERTIFICATE, complete IMMUNIZATION RECORDS and child’s SOCIAL SECURITY NUMBER.

C. If transferring from another Youngstown City School, a TRANSFER SLIP from the sending school is required.

D. Proof of Residence:

   a. Home Owners: A property deed or signed purchase agreement
   b. Renters: A signed formal lease agreement (rent receipt not acceptable)
   c. Non-Renters: (the following two are required)
      1. A notarized letter, signed by the property owner, verifying occupancy of the parent or guardian and the student; and
      2. Mailing Address Verification. EXAMPLES: proof from unpaid or current utility bill(s), or from voter registration, or from Aid to Dependent Children (ADC) medical card (showing address) for current month. Welfare recipients must have proof that their account has been changed to their new address.
If such documents are not provided, the child may be admitted under the Superintendent's guidelines. Appropriate law enforcement authorities shall be notified in the event that required documents are not provided in accordance with the provisions of R.C. 3313.672.

Each child entering the District's kindergarten or first grade program for the first time must be properly screened for any medical or health problems as well as those related to hearing, vision, speech and communications. The cost for such screening shall be paid by the District. Any parent may provide the District with a written statement indicating that s/he does not wish to have his/her child screened.

**Early Entrance Criteria**

The District provides early admission to kindergarten and first grade for qualified students. Copies of the referral forms for evaluation for early entrance to kindergarten or first grade will be available in each school building. Any student residing in the District may be referred by an educator employed by the District, a preschool educator who knows the child, the child's parent or guardian, or a pediatrician or psychologist who knows the child. The referral shall be made to the principal of the school for evaluation for possible early admission.

Before a student is evaluated for early entrance, the principal (or his/her designee) of the school to which the child may be admitted shall obtain written permission from the child's parent/guardian.

Evaluations related to referrals submitted to the school principal between August 15th and April 15th, will ordinarily be completed and a written report issued within forty-five (45) calendar days of submission of the referral to the school principal. Evaluations related to referrals submitted to the school principal between April 16th and August 14th will ordinarily be completed and a written report issued within forty-five (45) days of the start of the school year.

Children referred for early entrance will be evaluated in a prompt manner. The principal of the school to which the child may be admitted shall convene an acceleration evaluation committee to determine whether early entrance is appropriate for that child. The acceleration evaluation committee shall include the following:

A. a parent/legal guardian or a representative designated by the parent/guardian

B. a gifted education coordinator or gifted education specialist, or, if neither is available, a school psychologist or a guidance counselor with expertise in the appropriate use of academic acceleration.

C. the principal or assistant principal of the school to which the child may be admitted
D. a teacher at the grade level to which the student may be admitted

The acceleration evaluation committee shall be responsible for conducting a fair and thorough evaluation of the student. The acceleration evaluation committee will also consider the student's own thoughts on possible accelerated placement in its deliberations.

Children considered for early entrance shall be evaluated using an acceleration assessment process approved by the Ohio Department of Education.

A meeting will be conducted with the parent/guardian following the evaluation to inform him/her of the committee's decision and, if appropriate, to discuss the results of the evaluation and the nature of the kindergarten or first grade program.

The parent/guardian will be provided with a written summary of the outcome of the evaluation process. This notification shall include instructions for appealing the outcome of the evaluation process.

Appeals must be made in writing to the Superintendent within thirty (30) calendar days of the parent/guardian receiving the results of the evaluation. The Superintendent or his/her designee shall review the appeal and notify the parent/guardian of his/her decision within thirty (30) calendar days of receiving the appeal. The Superintendent or his/her designee's decision will be final.

If a child is recommended for early entrance, the acceleration evaluation committee will develop a written acceleration plan for that child. The plan will specify:

A. placement of the child in the accelerated setting;

B. strategies to support successful early entrance; and

C. an appropriate transition period for accelerated students.

A school staff member will be assigned to oversee the implementation of the acceleration plan and to monitor the child's adjustment to the early entrance.

At any time during the transition period, a parent/guardian of the child may request in writing that the child be withdrawn from the accelerated placement. In such cases, the principal shall remove the child without repercussions.
Also, at any time during the transition period, a parent/guardian may request in writing an alternative accelerated placement. In such cases, the principal shall direct the acceleration evaluation committee to consider other placement options and to issue a decision within thirty 30 calendar days of receiving the request. If the student will be placed in a different setting from that initially recommended, the acceleration plan shall be revised accordingly, and a new transition period shall be specified.

At the end of the transition period, the accelerated placement shall become permanent. The child's records shall be modified accordingly, and the acceleration plan shall become part of the student's permanent record to facilitate continuous progress through the curriculum.

R.C. 3313.64, 3313.641, 3313.672, 3313.673, 3321.01 et seq., 3321.05, 3323.01
R.C. 3324.10

Adopted: 8/24/12
Revised: 10/28/12
Revised:
RESOLUTION NO. 224-12

RESOLUTION TO APPROVE REVISED POLICY ON PROMOTION, ACADEMIC ACCELERATION, PLACEMENT AND RETENTION

WHEREAS, the Board of Education of the Youngstown City School District, pursuant to R.C 3313.608, 3313.608(D), 3313.609, 3313.647, 3324.10 and A.C. 3301-35-02 (B)(5), adopted a policy to make and enforce such rules regarding promotion/retention of students; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Promotion, Academic Acceleration, Placement, And Retention” at Section 5410 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 “Promotion, Academic Acceleration, Placement, And Retention,” a copy of which is attached hereto and made a part hereof by this reference.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
PROMOTION, ACADEMIC ACCELERATION, PLACEMENT, AND RETENTION

The Board of Education recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It is the Board's intent that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

Such pattern should coincide with the system of grade levels established by this Board and the instructional objectives established for each.

The promotion and retention provisions of this policy shall be in compliance with the terms of Ohio's Third Grade Reading Guarantee (Policy 2623.02).

Promotion:

A student will be promoted to the succeeding grade level when s/he has:

A. completed the course and State-mandated requirements at the presently assigned grade;

B. in the opinion of the professional staff, achieved the instructional objectives set for the present grade;

C. demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade;

D. demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.
Academic Acceleration:

Academic acceleration may involve whole-grade acceleration or individual subject acceleration. Academic acceleration occurs when a student is not only doing the caliber of work necessary to be promoted to the next grade or enrolled in the next course in the academic sequence, but also demonstrates the ability to do the caliber of work required of students in that next grade level/subject/course. An acceleration evaluation committee will determine whether the student will be permitted to skip a grade level (i.e., whole-grade acceleration), or take a subject at a higher grade level or skip a course in the usual and customary academic sequence (i.e., individual subject acceleration).

Any student residing in the District may be referred by a staff member or a parent/guardian to the principal of his/her school for evaluation for possible accelerated placement. Students may refer themselves or a peer through a staff member who has knowledge of the referred child's abilities. Copies of referral forms for evaluation for whole-grade or individual subject acceleration will be available at each school building.

Students referred for accelerated placement will be evaluated in a prompt manner. The building principal will schedule the evaluations. Normally, changes in a student's schedule will occur only at the start of a semester.

Before a student is evaluated for accelerated placement, the principal (or his/her designee) shall obtain written permission from the student's parent/guardian.

Evaluations related to referrals that occur during the school year will ordinarily be completed and a written report issued within forty-five (45) calendar days. Evaluations related to referrals that occur at the end of a school year or during the summer will be completed and a written report issued either before the end of the school year, if possible, or within forty-five (45) calendar days of the start of the next school year.
Upon referral, the student's principal (or his/her designee) shall convene an acceleration evaluation committee to determine the appropriate learning environment for the referred student. This committee shall include the following:

A. a parent/guardian, or a representative designated by that parent/guardian

B. a gifted education coordinator or gifted intervention specialist, or if neither is available, a school psychologist or guidance counselor with expertise in the appropriate use of academic acceleration may be substituted

C. a principal or assistant principal from the child's current school

D. a current teacher of the referred student

E. a teacher at the grade level or course to which the referred student may be accelerated

The acceleration evaluation committee shall be responsible for conducting a fair and thorough evaluation of the student. The acceleration evaluation committee will consider the student's own thoughts on possible accelerated placement in its deliberations. In the event that career-technical programs are considered for acceleration, a career-technical educator shall be consulted as a part of the evaluation.

Students considered for whole-grade acceleration will be evaluated using an acceleration assessment process approved by the Ohio Department of Education.

Students considered for individual subject acceleration will be evaluated using a variety of data sources, including measures of achievement based on State academic content standards (in subjects for which the State Board of Education has approved content standards) and consideration of the student's maturity and desire for accelerated placement.

The acceleration evaluation committee shall issue a written decision on the outcome of the evaluation process to the principal and the student's parent/guardian. This notification shall include instructions for appealing the decision.

Appeals must be made in writing to the Superintendent within thirty (30) calendar days of the parent/guardian receiving the committee's decision. The Superintendent or his/her designee shall review the appeal and notify the parent/guardian of his/her decision within thirty (30) calendar days of receiving the appeal. The Superintendent or his/her designee's decision shall be final.
If the student is recommended for whole-grade or individual subject acceleration, the acceleration evaluation committee will develop a written acceleration plan. The parent/guardian shall be provided with a copy of the plan. The plan shall specify:

A. placement of the student in an accelerated setting;
B. strategies to support a successful transition to the accelerated setting;
C. requirements and procedures for earning high school credit prior to entering high school (if applicable); and,
D. an appropriate transition period for accelerated students.

A school staff member will be assigned to oversee implementation of the acceleration plan and to monitor the adjustment of the student to the accelerated setting.

At any time during the transition period, a parent/guardian of the student may request in writing that the student be withdrawn from accelerated placement. In such cases the principal shall remove the student from the accelerated placement without repercussions.

At any time during the transition period, a parent/guardian may request in writing an alternative accelerated placement. In such cases, the principal shall direct the evaluation committee to consider other accelerative options and to issue a decision within thirty (30) calendar days of receiving the request. If the student will be placed in a different accelerated setting from that initially recommended, the student's acceleration plan shall be revised accordingly, and a new transition period shall be specified.

At the end of the transition period, the accelerated placement shall become permanent. The student's record shall be modified accordingly, and the acceleration implementation plan shall become part of the student's permanent record to facilitate continuous progress through the curriculum.

Retention:

A student may be retained at his/her current grade level when s/he has:

A. in the opinion of the professional staff, failed to demonstrate proficiency in mathematics and reading;
B. in the opinion of the professional staff, failed to achieve the instructional objectives set forth at the current grade level that are requisite for success at the succeeding grade level;
Age restrictions related to promotion and retention shall be observed as follows:

A. Students who will reach the age of thirteen (13) on or before September 30th of a given school year shall be assigned to the 7th grade at the beginning of that school year.

B. Students who reach the age of fifteen (15) on or before September 30th of a given school year shall be assigned to the senior high school at the beginning of that school year.

C. Students shall be promoted or assigned to the grade or organization that best serves their needs considering their ability, achievement, age, documented disability, if applicable, and social maturity.

Students who have been retained in the past shall be promoted one (1) or more grades according to the age restrictions listed in this policy. Under these conditions, instructional intervention should be employed to accelerate the students’ rate and frequency of achievement. Students shall not be retained more that one (1) time at either the elementary or the junior high level. In cases where promotion beyond one grade is considered, parental input and approval shall be sought.

Age regulations related to promotion/retention may be different from those previously mentioned in this policy when a student is placed in a non-graded environment and/or environments where age, not grade level, dictates student placement.

A student may be placed at the next grade level when retention would no longer benefit the student.

The Superintendent shall develop administrative guidelines for promotion, placement, and retention of students that:

A. require the recommendation of the relevant staff members for promotion, placement, or retention;

B. require that parents are informed in advance of the possibility of retention of a student at a grade level;

C. assure that efforts will be made to remediate the student's difficulties before s/he is retained;
require that a student be retained if s/he is truant for ten percent (10%) or more of the required school days and has failed at least two (2) courses of study, unless the principal and the teachers of the failed subjects determine that the student is academically prepared to be promoted;

D. assign to the principal the final responsibility for determining the promotion, placement, or retention of each student;

E. provide parents the opportunity to request the promotion, placement, or retention of their child;

F. provide parents the opportunity to appeal the decision about their child's promotion, placement, or retention.

R.C. 3313.608, 3313.608(D), 3313.609, 3313.647, 3324.10
A.C. 3301-35-02(B)(5)

Adopted: 8/24/12
Revised: 10/28/12
Revised:
RESOLUTION NO. 225-12

RESOLUTION TO ADOPT POLICY
ON AUTHORIZATION TO ACCEPT AND
DISTRIBUTE ELECTRONIC RECORDS AND
TO USE ELECTRONIC SIGNATURES

WHEREAS, the Board of Education of the Youngstown City School District has decided to authorize the acceptance and distribution/transmission of electronic records and electronic signatures to and from District staff and other persons, as well as between District staff members, unless a provision of law enacted after September 14, 2000 specifically prohibits the use of an electronic record for the specified purpose; and

WHEREAS, the Superintendent has developed and recommended to this Board adoption of the attached policy entitled, “Authorization To Accept And Distribute Electronic Records And To Use Electronic Signatures.”

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Youngstown City School District that the policy entitled, “Authorization To Accept And Distribute Electronic Records And To Use Electronic Signatures,” recommended by the Superintendent, a copy of which is attached hereto and incorporated herein by this reference, is hereby ratified, approved and adopted by this Board.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURES

Unless a provision of law enacted after September 14, 2000, specifically prohibits the use of an electronic record for the specified purpose, the Board of Education authorizes the acceptance and distribution/transmission of electronic records and electronic signatures to and from District staff and other persons, as well as between District staff members. The Board further authorizes District staff to create, generate, send, communicate, receive, store, process, use, and rely upon electronic records and electronic signatures.

The Superintendent is authorized to develop administrative guidelines concerning the acceptance and distribution/transmission of electronic records and electronic signatures. After giving due consideration to security, the Superintendent may specify the following:

A. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored, and the systems established for those purposes.

B. If electronic records must be signed by electronic means, the type of electronic signature that is required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met, by any third party used by a person filing a document to facilitate the process.

C. Control processes and procedures as appropriate to provide for adequate preservation, disposition, integrity, security, confidentiality, and audit ability of electronic records.

D. Any other required attributes for electronic records that are specified for nonelectronic records or reasonably necessary under the circumstances.
All District staff shall comply with all provisions of the Uniform Electronic Transaction Act when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all District staff and other persons who use electronic signatures when completing transactions with the Board shall do so in compliance with State law.

Ohio Revise Code Chapter 1306

Adopted:
RESOLUTION NO. 226-12

RESOLUTION TO APPROVE REVISED POLICY
ON ANTI-FRAUD

WHEREAS, the Board of Education of the Youngstown City School District adopted a policy setting forth the expectation that all employees be honest and ethical in their conduct and to refrain from engaging in activities which may be fraudulent, illegal, or otherwise unethical; and

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

WHEREAS, the Superintendent has recommended that the Board adopt the revised policy entitled “Anti-Fraud” at Section 8900 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 “Anti-Fraud,” a copy of which is attached hereto and made a part hereof by this reference.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
The Board of Education expects all its employees to be honest and ethical in their conduct and to refrain from engaging in activities which may be fraudulent, illegal, or otherwise unethical. The District will not tolerate such activities, and will investigate claims of suspected fraud or fraudulent activity and implement appropriate disciplinary measures, when necessary.

Scope

This policy applies to any fraud, or suspected fraud, involving employees, consultants, vendors, contractors, outside agencies and employees of such agencies, and any other parties having a business relationship with the District.

Policy

Fraud and fraudulent activity are strictly prohibited.

Each employee or agent of the District shall be responsible for reporting any observed or suspected fraud or fraudulent activity to his/her immediate supervisor. If the employee's immediate supervisor is not available, responsive, or is the employee whose behavior is in question, the employee may report such information to the Superintendent. If the reported conduct relates to the Superintendent, the report may then be filed directly with the Board President.

All administrators shall attempt to investigate and verify any conduct that appears to constitute fraud within the areas of their responsibility.

All reporting and investigation shall be done in accordance with the District's Whistleblower's AG 1411 (see also AG 3211 and AG 4211).
In addition to or instead of filing a written report with the supervisor or other District authority, the employee may file a report using the Auditor of State’s system for reporting fraud in accordance with Ohio law.

**Notification**

The District shall provide information about the Ohio fraud-reporting system and the means of reporting fraud to each new employee at the time of his/her employment. Each new employee shall confirm receipt of such information within thirty (30) days of beginning employment.

**Fraud – Definitions**

"Fraud" is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his/her legal injury. For purposes of this policy, fraud includes the misuse and/or misappropriation of public money by any Board employee member or official, or any office or Department of the District.

The following are examples of prohibited acts:

- **A.** falsification of any District record (particularly financial records) with the intent to conceal information to the District's detriment or the individual's advantage
- **B.** forgery of a check, bank draft, wire transfer, or any other District financial document
- **C.** unauthorized alteration of a financial document or account belonging to the District
- **D.** misappropriation of funds, supplies, or other assets of the District
- **E.** impropriety in handling or reporting money or financial transactions
F. disclosing confidential and proprietary information to outside parties for personal gain (either directly or indirectly)

G. asking for or accepting anything of material value from contractors, vendors, or persons providing services or materials to the District, except as provided in gift policies

H. unauthorized destruction, removal, or use of records, furniture, fixtures and/or equipment for personal gain (either directly or indirectly)

I. misuse of State or Federal funds for other than their designated purposes

This list is meant to illustrate the types of activities that are prohibited. It is not comprehensive. Other misconduct of a similar nature is prohibited.

Confidentiality

The District will maintain confidentiality with regard to the reports of suspected misconduct and the investigation, to the extent consistent with the conduct of an appropriate investigation and its obligations under the Public Records Act. However, absolute confidentiality for reporting witnesses and investigation results cannot be guaranteed.

Except as authorized by the Superintendent or his/her designee, the reporting witness and others interviewed are not to discuss the allegations or investigation with other District employees or officials, vendors or contractors. Such discussions may interfere with the investigation. Further, because of the nature of the alleged misconduct, unsubstantiated allegations that are not privileged could harm an innocent individual's reputation and result in potential civil liability.

Non-Retaliation

Those who, in good faith, report suspected fraudulent activity will not be subject to any retaliation as a result of bringing the suspected misconduct forward. They will be subject to protection of the District's Whistleblower's Policy 1411 (see also Policy 3211 and Policy 4211).

Adopted: 12/15/10
Revised:
RESOLUTION NO. 227-12

RESOLUTION TO DELETE POLICY ON THE DECLARATION REGARDING MATERIAL ASSISTANCE/NON-ASSISTANCE TO A TERRORIST ORGANIZATION (DMA)

WHEREAS, H-13. 487, part of the mid-biennium budget review (MBR), repealed requirements to obtain a "declaration of material assistance/non-assistance" (DMA) from new employees or from entities or persons prior to doing business with or contracting for service; and

WHEREAS, the repeal of this requirement is effective September 10, 2012; and

WHEREAS, certain Board policies must be modified to reflect the implementation of H.B. 487;

NOW, THEREFORE, BE IT RESOLVED, the Board modifies the following policies as set forth below:

DELETE: Policy 8120 - Declaration Regarding Material Assistance/Nonassistance to a Terrorist Organization (DMA)

REVISE: Policy 1220 - Employment of the Superintendent
Policy 1310 - Employment of the Treasurer
Policy 1530 - Employment of Administrators
Policy 3120 - Employment of Professional Staff
Policy 3120.04 - Employment of Substitute Teachers
Policy 3120.05 - Employment of Professional Staff Members in Summer School and Adult Education Programs
Policy 3120.06 - Selecting Student Teachers/Administrative Interns
Policy 3120.07 - Employment of Casual Resource Personnel
Policy 3120.08 - Employment of Personnel for Co-Curricular/Extra-Curricular Activities
Policy 4120 - Employment of Support Staff
Policy 4120.04 - Employment of Substitutes
Policy 4120.08 - Employment of Personnel for Co-Curricular/Extra Curricular Activities

“(personnel) must complete a DMA form with no positive indications that material assistance has been provided to a terrorist organization before working in the District
(see Policy 8120)."
Resolution No. 227-12 continued

Policy 6320 - Purchases
Policy 6440 - Cooperative
Purchasing Policy 6450 - Local Purchasing
Policy 6460 - Vendor Relations

“A completed DMA form with no positive indications that material assistance has been provided to a terrorist organization is required of each private person or entity with whom the Board intends to enter into a contract that amounts to an aggregate of greater than $100,000 annually.

[ ] A private person or entity with whom the Board enters into frequent contracts may apply for pre-certification. Pre-certification is specific to the District and is effective for one (1) year at a time."

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
THE DECLARATION REGARDING MATERIAL ASSISTANCE/NON-ASSISTANCE TO A TERRORIST ORGANIZATION (DMA)

A completed DMA form shall be required of any applicant under final consideration of employment with the Board of Education and any private person or entity with whom the Board intends to enter into a contract that amounts to an aggregate of greater than $100,000 annually. The completed DMA form shall serve as confirmation that the Board is not providing financial remuneration to any person or entity that aids or supports a terrorist organization on the Terrorist Exclusion List.

A private person or entity with whom the Board enters into frequent contracts may apply for pre-certification. Pre-certification is specific to the District and is effective for one (1) year at a time.

A “yes” answer to any of the questions on the DMA form must be reported immediately to the Ohio Department of Security’s Division of Homeland Security and necessarily results in the denial of employment and/or a public contract.

When a DMA form is submitted to the Board, the District must retain it in accordance with its records retention schedule.

R.C. 2909.33, 2909.34

Date of Adoption: 1/23/07
RESOLUTION NO. 228-12

APPROVAL FOR SUBMISSION OF FY 2012-2013
INSTRUCTION AND INTERVENTION PROPOSALS
Purchased Services

WHEREAS, the Youngstown City School District has presented a purchase of services for approval; and

WHEREAS, the purchase is being made in accordance with Youngstown City School District Policies, the State of Ohio cooperative purchasing act (HB100) and such grant requirements as may be applicable to the purchases; and

WHEREAS, YCSD and Scholastic Achievement Partners realize the importance of introducing a collective vision of a Math Workshop Model that will introduce a classroom framework on how to organize a 90 minute math block in the K-8th grade classrooms at Harding Elementary and P. Ross Berry; and

WHEREAS, there is a need for a “Math Workshop Model” to help K-8th grade teachers at Harding Elementary and P. Ross Berry to feel more comfortable and confident in classroom instruction of math.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District does approve the purchase of services for the 2012-2013 school year from Scholastic Achievement Partners to provide K-8 teachers and administrators at Harding Elementary and P. Ross Berry professional development for the “Do the Math” Scholastic Program.

<table>
<thead>
<tr>
<th>Scholastic Achievement Partners</th>
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<tbody>
<tr>
<td>Fund 590</td>
<td>$76,959.85</td>
</tr>
<tr>
<td>Fund 572</td>
<td>$70,785.15</td>
</tr>
<tr>
<td>Total</td>
<td>$147,745.00</td>
</tr>
</tbody>
</table>

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
RESOLUTION NO. 229-12

RESOLUTION TO APPROVE AGREEMENT WITH TEACHER

WHEREAS, the Superintendent and the Assistant Superintendent of Human Resources of the Youngstown City School District have reviewed with and recommended to the Board an Agreement with James R. Cassidy, Jr. and the Youngstown Education Association which would amend the terms and conditions of his employment, including but not limited to a conditional resignation; and

WHEREAS, the Board desires to approve such Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies and approves the Severance Agreement signed by James R. Cassidy, Jr. and by the President of the Youngstown Education Association on December 3, 2012, with direction to the Superintendent and Assistant Superintendent of Human Resources to sign and implement the Agreement on behalf of the District.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
RESOLUTION NO. 230-12

RESOLUTION TO APPROVE AGREEMENT WITH TEACHER

WHEREAS, the Superintendent and the Assistant Superintendent of Human Resources of the Youngstown City School District have reviewed with and recommended to the Board an Agreement with Allen Rauzan and the Youngstown Education Association which would amend the terms and conditions of his employment, including but not limited to a conditional resignation; and

WHEREAS, the Board desires to approve such Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby ratifies and approves the Leave Settlement Agreement signed by Allen Rauzan and by the President of the Youngstown Education Association on December 27, 2012, with direction to the Superintendent and Assistant Superintendent of Human Resources to sign and implement the Agreement on behalf of the District.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.
RESOLUTION NO. 231-12

CERTIFICATED PERSONNEL
APPOINTMENTS, LEAVE OF ABSENCE, RESIGNATION AND RETIREMENT

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

APPOINTMENTS

Limited Contract Teachers - Fund 001

Pending Certification:

Debra Beil      PK-3   BA, Step 0 29,885.00
Brittany Nicolaou-Harrington    Grade 6 (Sp. Ed.) BA, Step 0 34,726.00
Carly Hughes      PK-3   BA, Step 0 29,885.00

Utility Principal Substitute - Fund 001 - $140.00 per day, Purchased Services:

Joan Mingo

Pupil Personnel Services - Home Instruction Fund 001 - $22.35 per hour for YEA members, $15.50 for Non-YEA members, not to exceed 5 hours per week per student assigned:

Phillip Warren

Afterschool Intervention Teacher - Fund 572 - Paul C. Bunn - $22.35 per hour for YEA members, not to exceed 4 hours per week:

Elaine Mathews       Stacie Shepard
Katharine Paull       Ronald Walcott
Crystal Prisby       Cheryl Wlodarski
                        Elizabeth Nyers (Sub)
Resolution No. 231-12

**Afterschool Intervention Principal** - Fund 572 - **Paul C. Bunn** - $30.13 per hour, not to exceed 6 hours per week:

- William Baun
- Mary Sandy (Sub)

**Winter Sports Supplemental Contracts** - Fund 001

**East**

- Lawanna Sims  Head Girls Basketball Coach  $4,980.84

**LEAVE OF ABSENCE**

**Teacher**

- Douglass Conkle  Parental Leave  Eff. 01/02/13

**RESIGNATION**

**Supplemental**

- Lawanna Sims  Asst. Girls Basketball Coach  Eff. 12/06/12

**RETIREMENT**

**Speech Therapist**

- Yvonne Fayard  Retirement  Eff. 02/14/13

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
RESOLUTION NO. 232-12

CLASSIFIED PERSONNEL
APPOINTMENTS, RETIREMENT

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

APPOINTMENTS

Substitute Educational Assistant (Fund 001) $7.70 per hour; to be used on an “as needed” basis, not to exceed 25 hours per week:

LaWanna Sims

Substitute Bus Drivers (Fund 001) $11.00 per hour; not to exceed 25 hours per week:

Joselito Figueroa  Aneshia Leonard

8 hour Custodial Helpers (Fund 001) Daily rate $75.47; 40 hours per week:

Barbara Foose  Tristan L

RETIREMENT

Secretary

Karen Jones Retirement Eff. 07/01/13

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

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

Motion carried.

12/27/12
RESOLUTION NO. 233-12

RESOLUTION TO MODIFY AND SUPPLEMENT  
RESOLUTION No. 211-12  
TO AUTHORIZE AGREEMENT WITH COMDOC

WHEREAS, the Board of Education of the Youngstown City School District adopted Resolution No. 211-12 on December 11, 2012 to authorize the execution and performance of a new Managed Print Service Agreement with ComDoc pursuant to ComDoc Lease No. 166763000 to replace ComDoc Lease No. 3252; and

WHEREAS, instead of one lease replacing the other as originally anticipated by Resolution No. 211-12, both ComDoc Lease No. 166763000 and ComDoc Lease No. 3252 will be in effect, subject to their separate terms, conditions, and beginning and ending dates; and

WHEREAS, in addition to selecting ComDoc from the list of preapproved vendors through Sourcing Office, an Ohio council of governments as referenced in Resolution 211-12, the District reviewed the proposed transaction with the fiscal monitor of the Youngstown Academic Distress Commission who has approved the ComDoc transaction subject to including in the new Lease a non-appropriation clause; and

WHEREAS, former ComDoc Lease Agreement No. 3252 will continue in force and effect subject to its original time frame, but the monthly rental will be $9,392.79, instead of $17,270.00, due to a reduction of equipment attributable to this Lease, but with equipment remaining in it nonetheless; and

WHEREAS, a new ComDoc Lease Agreement No. 166763000 for 35 new devices with payment terms of $11,588.00 monthly for a period of 60 months will be newly instituted subject to the terms hereinabove referenced; and

WHEREAS, a new ComDoc Maintenance Agreement will be implemented for service, supplies, and parts for both of the foregoing two (2) Lease Agreements at $2,700.00 per month collectively; and

WHEREAS, the total monthly payment amount for ComDoc Lease No. 3252, ComDoc Lease No. 166763000, and the ComDoc Maintenance Agreement for said Leases will total
$33,880.79 per month, as opposed to the former arrangement which totaled $35,400.00 per month.

Resolution 233-12 continued

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Youngstown City School District hereby amends and supplements the terms and conditions referenced in its Resolution No. 211-12 to reflect the changes recited hereinabove with respect to the ComDoc Leases, subject to the terms and conditions referenced hereinabove which are incorporated herein by reference as if fully herein stated.

Mr. Atkinson moved, seconded by Ms. Hanni that the foregoing resolution be adopted.

Ayes: Murphy, Atkinson, Beachum, Haire-Ellis, Hanni, Kimble
Nays: None
Motion carried.

12/27/12

Ms. Hanni moved, seconded by Mr. Murphy that Lock P. Beachum, Sr. serve as president pro tempore at the organizational meeting to be held January 8, 2013, at 5:00 p.m. On roll call vote the results were as follows:

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

ADJOURNMENT

There being no further business requiring board action at this time, Mr. Atkinson moved that the meeting adjourn. Ms. Hanni seconded the motion, and upon voice vote all board members voted yes. Mr. Beachum announced the meeting adjourned.
President

Treasurer