

## WESTLAKE CITY SCHOOLS - BOARD OF EDUCATION AGENDA

Monday, January 23, 2017 – 6:00 p.m. – Regular Meeting  
24525 Hilliard Blvd., Westlake, Ohio 44145

Tentative Agenda – Items may be added or deleted prior to meeting.

Call to Order Time: \_\_\_\_\_

### Roll Call:

Mrs. Leszynski \_\_\_\_\_  
Mr. Kraft \_\_\_\_\_  
Mr. Finucane \_\_\_\_\_  
Dr. Stoll \_\_\_\_\_  
Dr. Winter \_\_\_\_\_

### Pledge of Allegiance

This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated on the agenda.

### VISION STATEMENT

The Westlake City School District will provide a dynamic, student centered, 21<sup>st</sup> Century learning environment. Our district will be characterized by high achievement, actively engaged learners, mutual respect, shared knowledge, pursuit of new skills and capabilities, collaborative learning, willingness to take action, a team commitment to data-driven continuous improvement, and tangible results.

### MISSION STATEMENT

WE EDUCATE FOR EXCELLENCE...Empowering all students to achieve their educational goals, to direct their lives, and to contribute to society.

### Acknowledgment of Visitors

### Approval of Agenda

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

### \*Hearing of Public (15 Minutes) Agenda Items

#### A. Approval of Minutes

1. Special Meeting of December 5, 2016
2. Regular Meeting of December 12, 2016

Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

**B. Informative Reports & Recognitions**

1. Superintendent's Report
2. Treasurer's Report

**C. New Business**

1. Treasurer's Recommendations

- |   |               |
|---|---------------|
| a. Resolution to Approve the Fy16 Audit Report  | Exhibit C-1-a |
| b. Resolution to Issue Then and Now Certificates  | Exhibit C-1-b |
| c. Resolution to Adjust FY17 Appropriations   | Exhibit C-1-c |
| d. A Resolution Providing for the Issuance and Sale of Bonds in a<br>Maximum Aggregate Principal Amount of \$24,443,092 for the Purpose<br>of Constructing, Renovating, Remodeling, Adding to, Furnishing,<br>Equipping and Otherwise Improving School District Buildings and<br>Facilities and Acquiring, Clearing and Improving their Sites | Exhibit C-1-d |

2. Superintendent's Recommendations

- |  |                 |
|--|-----------------|
| a. Resolution to Accept Gifts and Contributions  | Exhibit C-2-a   |
| b. Resolutions to Approve Staff Recommendations  |                 |
| 1. Resolution to Approve Employment for Staff Members  | Exhibit C-2-b-1 |
| 2. Resolution to Approve Supplemental Contracts  | Exhibit C-2-b-2 |
| 3. Resolution to Approve the Employment of Project Link Personnel                                    | Exhibit C-2-b-3 |
| 4. Resolution to Approve Home Instruction  | Exhibit C-2-b-4 |
| 5. Resolution to Approve Licensed Substitute   | Exhibit C-2-b-5 |
| 6. Resolution to Approve Middle School Game Workers  | Exhibit C-2-b-6 |
| 7. Resolution to Adjust the Exempt Employee Salary Schedule and<br>Placement                         | Exhibit C-2-b-7 |
| 8. Resolution to Approve Classified Substitute for Staff Members                                     | Exhibit C-2-b-8 |
| c. Resolution to Approve Contracts and Agreements  | Exhibit C-2-c   |
| d. Resolution to Approve Applications for Payment in Lieu of<br>Transportation                       | Exhibit C-2-d   |
| e. Resolution to Recognize Girls Lacrosse as a Varsity Sport   | Exhibit C-2-e   |
| f. Resolution to Approve the Westlake High School Course of Studies for<br>the 2017-2018 School Year | Exhibit C-2-f   |

\*Hearing of Public (15 Minutes)

**D. Board Comments**

**E. Board Items**

1. Second Reading of Board Policies
  - Bylaw 0100
  - Bylaw 0167.1
  - Bylaw 0169.2
  - Policy 1530
  - Policy 2460
  - Policy 3223

Policy 5330.02  
Policy 5409  
Policy 5410  
Policy 5464  
Policy 8330

2. Resolution to Approve Board Policies

Exhibit E-2

F. Executive Session

1. Adjourn to Executive Session to discuss the possible sale/acquisition of property

Time: \_\_\_\_\_

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Roll Call:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

2. Adjourn Executive Session and Return to Regular Session

Time: \_\_\_\_\_

G. Adjournment

Time: \_\_\_\_\_

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.

RESOLUTION TO APPROVE THE FY16 AUDIT REPORT

RESOLVED that the Westlake Board of Education approves the annual Audit Report for the fiscal year ended June 30, 2016.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

EXHIBIT C-1-b

RESOLUTION TO ISSUE THEN AND NOW CERTIFICATES

RESOLVED that the Westlake Board of Education authorizes Then and Now Certificates for the following purchase orders:

<b>PO No.</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
15965	Cuyahoga County Board of Health	2 <sup>nd</sup> half of Nursing contract	\$4,213.00
53917	Lake Erie Basketball League	Youth Basketball League Entry Fee	\$7,425.00
53989	International Baccalaureate	IB Exam Fees	\$4,604.00
104563	Gordon Food Service	Food Service (November 2016)	\$6,560.78
104719	Squire Patton Boggs	Legal Fees FY16	\$5,946.25

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

## EXHIBIT C-1-c

## RESOLUTION TO ADJUST FY17 APPROPRIATIONS

RESOLVED that the Westlake Board of Education adjust the following FY17 appropriations:

REVISED PERMANENT APPROPRIATIONS FOR FISCAL YEAR 2017 AS OF 12/31/2016									
001 General Fund	Salary	Benefits	Purchase	Supplies	Equip. New	Other	Misc.		
	100	200	400	500	600	800	900	Total	
1100 INSTRUCTIONAL	\$ 14,636,953.17	\$ 4,718,162.52	\$ 477,571.02	\$ 411,944.79	\$ 94,461.38	\$ 41,548.11	\$ -	\$ 20,380,640.99	
1200 SPECIAL INSTRUCTIONAL	\$ 4,699,322.57	\$ 1,892,954.87	\$ 237,337.72	\$ 28,136.90	\$ 2,983.98	\$ -	\$ -	\$ 6,860,736.04	
1300 VOCATIONAL INSTRUCTION	\$ 129,820.82	\$ 41,366.12	\$ 838,809.16	\$ -	\$ -	\$ -	\$ -	\$ 1,009,996.10	
1900 TUITION	\$ 158,138.38	\$ 95,918.86	\$ 1,321,127.90	\$ -	\$ -	\$ -	\$ -	\$ 1,575,185.14	
2100 STUDENT SERVICES	\$ 2,137,755.97	\$ 676,070.13	\$ 858,390.54	\$ 70,671.16	\$ 1,039.00	\$ 25,300.00	\$ -	\$ 3,769,226.80	
2200 INSTRUCT. ASSIST SERVICES	\$ 856,101.90	\$ 346,650.64	\$ 130,708.57	\$ 122,144.89	\$ 48,116.41	\$ 20,630.00	\$ -	\$ 1,524,352.41	
2300 BOARD SERVICES	\$ 22,125.00	\$ 5,343.16	\$ 21,621.22	\$ 1,000.42	\$ -	\$ 14,234.00	\$ -	\$ 64,323.80	
2400 ADMINISTRATIVE SERVICES	\$ 1,665,427.17	\$ 820,874.66	\$ 351,454.51	\$ 21,113.76	\$ -	\$ 136,665.54	\$ -	\$ 2,995,535.64	
2500 FISCAL SERVICES	\$ 454,179.73	\$ 190,486.96	\$ 22,086.54	\$ 11,971.38	\$ 179.85	\$ 678,266.79	\$ -	\$ 1,357,171.25	
2600 PRINTING	\$ 257,823.60	\$ 114,435.40	\$ 108,528.77	\$ 5,038.61	\$ -	\$ 1,651.00	\$ -	\$ 487,477.38	
2700 MAINT. OF PLANT	\$ 2,015,153.74	\$ 880,604.76	\$ 1,756,017.50	\$ 329,545.10	\$ 109,481.36	\$ -	\$ -	\$ 5,090,802.46	
2800 TRANSPORTATION	\$ 2,066,778.25	\$ 989,407.27	\$ 254,346.05	\$ 351,741.43	\$ 48,895.00	\$ 35.00	\$ -	\$ 3,711,203.00	
2900 OTHER SERVICES	\$ 258,318.69	\$ 110,559.23	\$ 17,944.17	\$ 2,424.65	\$ -	\$ 275.00	\$ -	\$ 389,521.74	
3100 FOOD SERVICE OPERATIONS	\$ -	\$ -	\$ 26,856.25	\$ -	\$ -	\$ -	\$ -	\$ 26,856.25	
3200 COMMUNICATION SERVICE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
4100 SUBJECT ACTIVITY	\$ 89,890.15	\$ 19,682.09	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 109,572.24	
4500 SPORTS ORIENTED	\$ 572,473.06	\$ 139,041.67	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 711,514.73	
4600 CO-CURRICULUM	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
5200 SITE IMPROVEMENT	\$ -	\$ -	\$ 21,500.00	\$ -	\$ -	\$ -	\$ -	\$ 21,500.00	
5300 ARCHITECT SERVICE	\$ -	\$ -	\$ 7,225.50	\$ -	\$ -	\$ -	\$ -	\$ 7,225.50	
5500 BUILDING / CONSTRUCTION SERVICES	\$ -	\$ -	\$ 563,399.03	\$ -	\$ 450.00	\$ 1,500.00	\$ -	\$ 565,349.03	
5600 BUILDING IMPROVE.	\$ -	\$ -	\$ 86,013.62	\$ -	\$ 2,192.00	\$ -	\$ -	\$ 88,205.62	
5900 FACILITIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
6100 PAYMENT OF DEBT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
7100 CONTINGENCIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
7200 TRANSFER OUT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	
7410 ADVANCE OUT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 215,384.39	\$ 215,384.39	
7500 REFUND PRIOR YEAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000.00	\$ 4,000.00	
TOTAL General Fund 001	\$ 30,020,262.20	\$ 11,041,558.34	\$ 7,100,938.07	\$ 1,355,733.09	\$ 307,798.98	\$ 920,105.44	\$ 229,384.39	\$ 50,975,780.51	
						Certificate GE Total		\$65,673,088.75	

EXHIBIT C-1-c  
(Continued)

REVISED PERMANENT APPROPRIATIONS FOR FISCAL YEAR 2017 AS OF 12/31/2016									
Debt Service									
002	Bond Retirement	\$	12,813,741.50						
XX									
Capital Projects									
003	Permanent Improvement	\$	693.26						
004	Building	\$	9,380,368.15						
XX									
Proprietary : Enterprise									
006	Food Services	\$	1,407,278.33						
009	Uniform School Supplies	\$	43,796.13						
011	Rotary Fund - Special Services	\$	682,497.50						
XX									
Fiduciary : Trust									
007	Special Trust	\$	68,026.60						
XX									
Trust / Endowment									
008	Endowment	\$	34,108.43						
XX									
Agency									
200	Student Managed Activity	\$	498,003.34						
XX									
Special Revenue:									
018	Public School Support	\$	524,078.13						
019	Other Grants	\$	842,932.44						
022	District Agency	\$	20,728.63						
300	District Managed Athletic Fund	\$	522,031.50						
401	Auxiliary Service (NPSS)	\$	893,790.58						
451	Data Communication Fund	\$	12,600.00						
466	Straight A Fund	\$	38,898.00						
499	Misc. State Grant	\$	-						
516	IDEA Part B	\$	1,042,178.10						
551	Limited English Prof.	\$	58,806.66						
572	Title I	\$	617,885.55						
587	Preschool Handicapped	\$	27,321.69						
589	Entry Year	\$	-						
590	Title IIA	\$	95,506.23						
	Total - Excluding 001	\$	29,625,270.75						
Total all Funds		\$	\$80,601,051.26						
							Certificate Non GF Total		\$31,144,869.40
							Certificate Total		\$96,817,958.15

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft

Mr. Finucane

Dr. Stoll

Dr. Winter

The Board of Education of Westlake City School District, Ohio, met in regular session on January 23, 2017, commencing at 6:00 p.m., at the Parkside Building, 24525 Hilliard Boulevard, Westlake, Ohio, with the following members present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The CFO/Treasurer or Treasurer Pro Tempore, as the case may be, advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

\_\_\_\_\_ moved the adoption of the following Resolution:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$24,443,092 FOR THE PURPOSE OF CONSTRUCTING, RENOVATING, REMODELING, ADDING TO, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING SCHOOL DISTRICT BUILDINGS AND FACILITIES AND ACQUIRING, CLEARING AND IMPROVING THEIR SITES.**

WHEREAS, at an election held on November 8, 2016, on the question, among other things, of issuing bonds of the Westlake City School District, Ohio (the School District), in the aggregate principal amount of \$33,633,092 for the purpose stated in Section 2 and of levying taxes outside the ten-mill limitation to pay the debt charges on those bonds and any anticipatory securities, the requisite majority of those voting on the question voted in favor of it; and

WHEREAS, pursuant to that voter approval, a resolution of this Board adopted on November 28, 2016, and a Certificate of Award signed on December 20, 2016, pursuant to that resolution, the District issued its \$9,190,000 School Improvement Bonds, Series 2016, on December 29, 2016, representing the first installment of bonds issued under the voter approval, and leaving \$24,443,092 of the voter-approved \$33,633,092 unissued; and

WHEREAS, this Board has determined to issue a second series of bonds in an aggregate principal amount not to exceed \$24,443,092 to provide all or a portion of the remaining funds necessary for the purpose stated in Section 2 hereof; and

WHEREAS, the CFO/Treasurer of this Board (the Treasurer), as fiscal officer, has certified that the estimated life or period of usefulness of each class of the improvements described in Section 2 is at least five years and that the maximum maturity of the Bonds described in Section 2 is 33 years;



NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Westlake City School District, County of Cuyahoga, State of Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (a) with respect to Current Interest Bonds, a denomination of \$5,000 or any whole multiple thereof, and (b) with respect to any Capital Appreciation Bonds, a denomination equal to a principal amount that, when interest at the applicable compounding interest rate is accrued and compounded thereon on each Interest Accretion Date to the stated maturity of the Bonds, will result in a Maturity Amount equal to \$5,000 or any whole multiple thereof.

“Bond proceedings” means, collectively, this Resolution, the Certificate of Award, and such other proceedings of the School District, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Purchase Agreement” means the Bond Purchase Agreement between the School District and the Original Purchaser, as it may be modified from the form on file with the Treasurer and signed by the Treasurer in accordance with Section 6.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed in the Certificate of Award pursuant to Section 4, as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement among the School District, the Bond Registrar and, if applicable, the Ohio Department of Education, as it may be modified from the form on file with the Treasurer and signed by the Treasurer in accordance with Section 4.

“Book-entry form” or “book-entry system” means a form or system under which (a) the ownership of book-entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the School District only to a Depository or its nominee as registered owner, with the Bonds deposited with and maintained in the custody of the Depository or its agent. The book entry maintained by others than the School District or the Bond Registrar is the record that identifies the owners of book-entry interests in those Bonds and that principal and interest.

“Capital Appreciation Bonds” means any Bonds designated as such in the Certificate of Award, maturing in the years, being in the principal amounts and having the Maturity Amounts set forth therein, and bearing interest accrued and compounded on each Interest Accretion Date and payable at maturity.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Treasurer, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Compound Accreted Amount” means, with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination. The Compound Accreted Amount per \$5,000 Maturity Amount of the Capital Appreciation Bonds of each maturity and each compounding interest rate within a maturity as of each Interest Accretion Date shall be set forth in the Certificate of Award. The Compound Accreted Amount of a Capital Appreciation Bond as of any date other than an Interest Accretion Date is the sum of (a) the Compound Accreted Amount for that Bond on the immediately preceding Interest Accretion Date plus (b) the product of (i) the difference between (A) the Compound Accreted Amount of that Bond on the immediately preceding Interest Accretion Date and (B) the Compound Accreted Amount of that Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to the date of determination to (D) the total number of days from that immediately preceding Interest Accretion Date to the immediately succeeding Interest Accretion Date; provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the Closing Date shall be deemed to be the immediately preceding Interest Accretion Date and the principal amount of that Bond shall be deemed to be the Compound Accreted Amount on the Closing Date.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement, as it may be modified from the form on file with the Treasurer and signed in accordance with Section 6, and which shall constitute the continuing disclosure agreement made by the School District for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Current Interest Bonds” means, collectively, the Serial Bonds, the Sinking Fund Bonds and the Term Bonds, each as may be designated as such by the Treasurer in the Certificate of Award and being Bonds payable as to principal at maturity or pursuant to Mandatory Redemption Requirements or Mandatory Sinking Fund Requirements on the Principal Payment Dates and bearing interest payable on each Interest Payment Date as set forth in the Certificate of Award.

“Debt Charges” means principal, including any Mandatory Redemption Requirements and Mandatory Sinking Fund Requirements, and interest and any redemption premium payable on the Bonds.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book-entry system to record ownership of book-entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Interest Accretion Dates” means, unless otherwise determined by the Treasurer in the Certificate of Award, as to any Capital Appreciation Bonds, June 1 and December 1 of each year during which any Capital Appreciation Bonds are outstanding, commencing June 1, 2017.

“Interest Payment Dates” means, unless otherwise determined by the Treasurer in the Certificate of Award, (a) as to Current Interest Bonds, June 1 and December 1 of each year during which the Current

Interest Bonds are outstanding, commencing June 1, 2017, and (b) as to any Capital Appreciation Bonds, their respective maturity dates.

“Mandatory Redemption Date” means a Principal Payment Date designated as such by the Treasurer in the Certificate of Award on which principal of Term Bonds is payable by mandatory redemption prior to stated maturity pursuant to Section 3(e)(i).

“Mandatory Redemption Requirements” means amounts required by the Bond proceedings to be deposited in the Bond Retirement Fund in a year or fiscal year for the purpose of paying in that year or fiscal year by mandatory redemption prior to stated maturity the principal of Term Bonds that is due and payable, except for such mandatory redemption, in a subsequent year or fiscal year.

“Mandatory Sinking Fund Requirements” means amounts required by the Bond proceedings to be deposited in the Bond Retirement Fund in a year or fiscal year for the purpose of paying principal of Sinking Fund Bonds that is due and payable at their maturity in a subsequent year or fiscal year.

“Maturity Amount” means, with respect to a Capital Appreciation Bond, the principal and interest due and payable on its stated maturity date.

“Original Purchaser” means the original purchaser or purchasers of the Bonds, as shall be determined by the Treasurer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book-entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Treasurer in the Certificate of Award, December 1 in each of the years specified in the Certificate of Award when principal of the Bonds is scheduled to be paid, either at maturity or pursuant to Mandatory Redemption Requirements or Mandatory Sinking Fund Requirements, provided that in no case shall the total number of annual Principal Payment Dates exceed 33.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Current Interest Bonds designated as such by the Treasurer in the Certificate of Award, and which are not subject to Mandatory Redemption Requirements or Mandatory Sinking Fund Requirements.

“Sinking Fund Account” means a separate escrow account, if any, created and maintained in the custody of the Bond Registrar pursuant to the Bond Registrar Agreement for any amounts received by the Bond Registrar pursuant to any Mandatory Sinking Fund Requirements, which Account shall be a part of the School District’s Bond Retirement Fund.

“Sinking Fund Bonds” means those Current Interest Bonds designated as such by the Treasurer in the Certificate of Award, and which are subject to Mandatory Sinking Fund Requirements but not subject to Mandatory Redemption Requirements.

“Term Bonds” means those Current Interest Bonds designated as such by the Treasurer in the Certificate of Award, and which are subject to Mandatory Redemption Requirements but not subject to Mandatory Sinking Fund Requirements.

The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This Board determines that it is necessary and in the best interest of the School District to issue bonds of the School District in the maximum aggregate principal amount of \$24,443,092 (the Bonds) for the purpose of constructing, renovating, remodeling, adding to, furnishing, equipping and otherwise improving school district buildings and facilities and acquiring, clearing and improving their sites. The Bonds shall be designated "School Improvement Bonds, Series 2017" or otherwise as determined by the Treasurer in the Certificate of Award, and shall be the second installment of bonds issued under the authority referred to in the preambles hereto. Anticipatory securities have not been issued.

Subject to the limitations set forth in this Resolution, the aggregate principal amount of Bonds to be issued, the principal maturities of and the principal payment schedule for the Bonds, the interest rate or rates or compounding interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution are subject to further specification or determination in the Certificate of Award upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Treasurer to be necessary at the time to carry out the purpose for which the Bonds are to be issued; provided that such amount, together with the aggregate principal amount of all other bonds issued or to be issued under the voted authority set forth in the preambles hereto, shall not exceed \$24,443,092.

The proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium actually received by the District and accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The respective principal amounts of the Bonds to be issued as Current Interest Bonds and Capital Appreciation Bonds (if any Bonds are to be issued as Capital Appreciation Bonds) shall be determined by the Treasurer in the Certificate of Award, having due regard to the best interest of and financial advantages to the School District. Unless otherwise specified by the Treasurer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Current Interest Bonds shall bear interest at the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), as shall be specified by the Treasurer (subject to subsection (c) of this Section) in the Certificate of Award. Interest on the Current Interest Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Current Interest Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

Any Capital Appreciation Bonds shall bear interest from the Closing Date at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), accrued and compounded on each Interest Accretion Date and payable at maturity, that will result in the aggregate Maturity Amounts payable at maturity, as shall be specified by the Treasurer in the Certificate of Award. The total interest accrued on any Capital Appreciation Bond as of any particular date shall be an

amount equal to the amount by which the Compound Accreted Amount of that Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.

Notwithstanding any provision of this Resolution to the contrary, Bonds maturing on any one Principal Payment Date may bear interest at different rates and may be issued separately as Current Interest Bonds and Capital Appreciation Bonds.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Redemption Requirements, in the case of Term Bonds, or Mandatory Sinking Fund Requirements, in the case of Sinking Fund Bonds, on the Principal Payment Dates and in principal amounts as shall be determined by the Treasurer in the Certificate of Award (subject to subsection (c) of this Section), consistent with the Treasurer's determination of the best interest of and financial advantages to the School District.

Consistent with the foregoing and in accordance with the Treasurer's determination of the best interest of and financial advantages to the School District, the Treasurer shall specify in the Certificate of Award, among other things, (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Current Interest Bonds, (iii) the aggregate principal amount of Current Interest Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, (iv) the aggregate principal amount of Current Interest Bonds to be issued as Term Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Dates on which Term Bonds shall be subject to Mandatory Redemption Requirements and the principal amount thereof that shall be payable pursuant to Mandatory Redemption Requirements on each Mandatory Redemption Date, (v) the aggregate principal amount of Current Interest Bonds to be issued as Sinking Fund Bonds, the Principal Payment Date or Dates on which Mandatory Sinking Fund Requirements shall be met by a payment to the Bond Registrar for deposit to a Sinking Fund Account and the Mandatory Sinking Fund Requirement to be so met on each such Principal Payment Date, and (vi) the aggregate principal amount of any Bonds to be issued as Capital Appreciation Bonds and the corresponding aggregate Maturity Amount thereof, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, and the principal amount and corresponding Maturity Amount thereof that shall be payable on each such Principal Payment Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Current Interest Bonds and the compounding rate or rates of interest per year to be borne by any Capital Appreciation Bonds, and the principal amount of Current Interest Bonds maturing or payable pursuant to Mandatory Sinking Fund Requirements or Mandatory Redemption Requirements on each Principal Payment Date and the Maturity Amount of any Capital Appreciation Bonds payable on each Principal Payment Date, shall be such that (i) the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other such fiscal year, and (ii) the true interest cost of the Bonds shall not exceed 6.0%.

(d) Payment of Debt Charges. The Debt Charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal (excluding any Mandatory Sinking Fund Requirements) of and any premium on the Current Interest Bonds, and principal of and interest on any Capital Appreciation Bonds, shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Current Interest Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing on the Bond

Register at the close of business on the 15<sup>th</sup> day next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book-entry system, principal (excluding any Mandatory Sinking Fund Requirements) of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Treasurer, in the name and on behalf of the School District, in connection with the book-entry system. Mandatory Sinking Fund Requirements, if any, shall be payable when due to the Bond Registrar and applied as provided in the Bond Registrar Agreement.

(e) Redemption Provisions. The Capital Appreciation Bonds, if any, shall not be subject to redemption prior to maturity. Unless otherwise specified by the Treasurer in the Certificate of Award, consistently with that officer's determination of the best interest of and financial advantages to the School District, the Current Interest Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds Pursuant to Mandatory Redemption Requirements. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to Mandatory Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being the Mandatory Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Mandatory Redemption Date the principal amount of Term Bonds payable on that Mandatory Redemption Date pursuant to Mandatory Redemption Requirements (less the amount of any credit as hereinafter provided).

The School District shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Redemption Requirement of the School District, as specified by the Treasurer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the School District on or before the 45<sup>th</sup> day preceding any Mandatory Redemption Date with respect to which the School District wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Treasurer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Redemption Requirement shall not be reduced. A credit against the then current or any subsequent Mandatory Redemption Requirement, as specified by the Treasurer, also shall be received by the School District for any Term Bonds that prior thereto have been redeemed (other than through the operation of the applicable Mandatory Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Redemption Requirements, as specified by the Treasurer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Current Interest Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the School District, in whole or in part (as selected by the Board) in whole multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Treasurer in the Certificate of Award; provided that (i) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (ii) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Treasurer to the Bond Registrar, given upon the direction of this Board through a resolution. That notice shall specify the redemption date and the principal amount of each maturity of Bonds and interest rate within a maturity to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity or interest rate within a maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the School District. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and interest rate to be redeemed, or portions thereof in amounts of \$5,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the School District by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available

therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the School District to the extent not required for the payment of the Bonds called for redemption.

(f) Mandatory Sinking Fund Requirements. The aggregate of the moneys to be deposited with the Bond Registrar for payment of Debt Charges on each Principal Payment Date shall include, with respect to any Sinking Fund Bonds, an amount sufficient to meet the Mandatory Sinking Fund Requirement for deposit to the Sinking Fund Account on that Principal Payment Date (less a credit for any amount by which the balance in the Sinking Fund Account on that Principal Payment Date, determined as provided in the Bond Registrar Agreement, exceeds the sum of all Mandatory Sinking Fund Requirements for prior Principal Payment Dates).

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the President or Vice President of this Board and the Treasurer, in the name of the School District and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Treasurer, shall be numbered as determined by the Treasurer in order to distinguish each Bond from any other Bond and to distinguish the Current Interest Bonds from any Capital Appreciation Bonds, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code, the approval of the electors at the election identified in the first preamble hereto, this Resolution and the Certificate of Award.

The Treasurer is authorized to appoint and designate in the Certificate of Award the initial Bond Registrar after determining that such bank or trust company will not endanger the funds or securities of the School District and that proper procedures and safeguards are available for that purpose. The Treasurer shall sign and deliver, in the name and on behalf of the School District, the Bond Registrar Agreement among the School District, the Bond Registrar and, if applicable, the Ohio Department of Education, in substantially the form as is now on file with the Treasurer. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the School District and that are approved by the Treasurer on behalf of the School District, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Treasurer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Bond Purchase Agreement, if applicable, from the proceeds of the Bonds



to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Treasurer on behalf of the School District. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book-Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the School District will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the other provisions of this Section and Sections 3(d) of this Resolution, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the Debt Charges on any Bond shall be made only to or upon the order of that person; neither the School District nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the School District's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the School District are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the School District. In all cases of Bonds exchanged or transferred, the School District shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the School District and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The School District or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the School District, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the School District nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15<sup>th</sup> day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book-Entry System. Notwithstanding any other provisions of this Resolution, if the Treasurer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the School District, the Bonds may be issued in book-entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book-entry system and, if and so long as a book-entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and each interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and maintained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book-entry interest owners of Bonds in book-entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book-entry interests in Bonds in book-entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book-entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the School District.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Treasurer may attempt to establish a securities depository/book-entry relationship with another qualified Depository. If the Treasurer does not or is unable to do so, the Treasurer, after making provision for notification of the book-entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of School District action or inaction, of those persons requesting such issuance.

The Treasurer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the School District, that the Treasurer determines to be necessary in connection with a book-entry system for the Bonds.

#### Section 6. Sale of the Bonds.

(a) Award of the Bonds. The Treasurer is hereby authorized to solicit and receive proposals for the purchase of the Bonds (through “competitive sale”) if the Treasurer determines it to be in the best interests of and financially advantageous to the School District. The Bonds are to be awarded and sold to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Treasurer in the Certificate of Award, plus accrued interest on the Current Interest Bonds from their date to the Closing Date, and shall be awarded by the Treasurer with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Bond Purchase Agreement (if applicable due to the Bonds being sold by way of negotiated sale). The Treasurer is authorized to and shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The President and Vice President of this Board, the Treasurer, the Superintendent, and other School District officials, as appropriate, each and all, are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments (including but not limited to agreements as necessary or appropriate for the holding, investment and application of any money deposited in the Bond Retirement Fund pursuant to Mandatory Sinking Fund Requirements) and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

If the Treasurer determines it to be in the best interests of and financially advantageous to the School District, the Bonds may be sold to the Original Purchaser by way of negotiated sale. In such a case, the Treasurer shall sign and deliver, in the name and on behalf of the School District, the Bond Purchase Agreement between the School District and the Original Purchaser, in substantially the form as is now on file with the Treasurer, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Bond Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the School District and that are approved on behalf of the School District by the Treasurer, all of which shall be conclusively evidenced by the Treasurer's signing of the Bond Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure – Official Statement. The (preliminary) official statement currently on file with the Treasurer is approved in substance. The President or Vice-President of this Board, the Treasurer and the Superintendent, on behalf of the School District and in their official capacities, are authorized to (i) make or authorize modifications, completions or changes of or supplements to, said official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement, as it may be so modified, completed, changed or supplemented, is to be “deemed final” (except for permitted omissions) by the School District or is a final official statement for purposes of Sections (b)(1), (3) and (4) of the Rule, (iii) use and distribute, or authorize the use and distribution of, the official statement, as it may be so modified, completed, changed or supplemented, in connection with the original issuance of the Bonds, and (iv) complete and sign the official statement, as it may be so modified, completed, changed or supplemented, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of an official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the School District agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The President or Vice President of this Board, the Treasurer and the Superintendent are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the School District, in substantially the form as is now on file with the Treasurer. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the School District and that are approved by the President or Vice President of this Board, the Treasurer and the Superintendent on behalf of the School District, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the School District with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Treasurer shall consult with and obtain legal advice from, as appropriate, the bond counsel or other qualified independent special counsel selected by the School District. The Treasurer, acting in the name and on behalf of the School District, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the School District of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings, Bond Insurance and/or Other Credit Enhancement; Financing Costs. If, in the judgment of the Treasurer the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on all or a portion of the Bonds, is in the best interest of and financially advantageous to this School District, the Treasurer is authorized to prepare and submit those

applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Bond Purchase Agreement, if applicable, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Treasurer is hereby authorized, to the extent necessary or required, to enter into any commitments or agreements, in the name of and on behalf of the School District, that the Treasurer determines to be necessary in connection with obtaining of such ratings or insurance.

The expenditure of the amounts necessary to secure that rating or those ratings and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser in accordance with the Bond Purchase Agreement, if applicable, is authorized and approved, and the Treasurer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken in conformance with the provisions of this paragraph are hereby ratified and confirmed.

If the Treasurer determines it to be in the best interests of and financially advantageous to the School District, the Treasurer is authorized and directed to apply, on behalf of the School District, to the Ohio Department of Education (the Department) and the Office of Budget and Management (OBM) for permission for the School District to participate in the Ohio School District Credit Enhancement Program (the Program) and thereby to request that the Department approve an agreement with the School District and the Bond Registrar, which agreement may be incorporated as a part of the Registrar Agreement, providing for the withholding and deposit of funds otherwise due the School District under Chapters 3306 and 3317 of the Revised Code (State Education Aid) for the payment of Debt Charges on the Bonds (or a portion thereof) under certain circumstances. If the School District receives that permission and the Treasurer determines that it is in the best interest of and financially advantageous to the School District, the Treasurer may sign and deliver, in the name and on behalf of the School District, such an agreement pursuant to and containing the terms and conditions required by Section 3317.18 of the Revised Code. Unless otherwise stipulated by Section 3317.18 of the Revised Code or its implementing rule, Ohio Administrative Code Section 3301-8-01, this Board covenants that, if the School District enters into such an agreement with the Department, it will not pledge State Education Aid as primary security for other obligations on a parity with those bonds unless the projected amount of State Education Aid to be distributed to the School District in the then current fiscal year exceeds the maximum annual Debt Charges due in that fiscal year or any future fiscal year on all outstanding and proposed obligations to which State Education Aid is pledged as the primary security by a ratio of at least 2.5 to 1; provided that this covenant shall not prevent the School District from issuing obligations having a claim on State Education Aid subordinate to that of those bonds. The Treasurer is authorized to sign and deliver, in the name and on behalf of the School District, to the extent necessary or required, any other instruments or agreements necessary to enable the School District to participate in the Program.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the School District, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the Debt Charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be unlimited as to amount or rate, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy

shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the Debt Charges on the Bonds when and as the same fall due.

Section 8. Federal Tax Considerations. This Board covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

This Board further covenants (a) that it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) that it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Treasurer, as the fiscal officer of this Board, or any other officer of the School District having responsibility for the issuance of the Bonds, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the School District with respect to the Bonds as the School District is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the School District, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the School District, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the School District regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds. The Treasurer is specifically authorized to designate the Bonds, or any portion thereof, "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 9. Certification and Delivery of Resolution and Certificate of Award. The Treasurer is directed to deliver or cause to be delivered a certified copy of this Resolution and a signed copy of the Certificate of Award to the Cuyahoga County Fiscal Officer.

Section 10. Satisfaction of Conditions for Bond Issuance. This Board determines that all acts and conditions necessary to be performed by the Board or the School District or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the School District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit

and general property taxing power (as described in Section 7) of the School District are pledged for the timely payment of the Debt Charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 11. Retention of Bond Counsel and Disclosure Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel and disclosure counsel, are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the School District in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the School District or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services whether or not the Bonds are ever issued. The Treasurer is authorized and directed, to the extent they are not paid by the Original Purchaser in accordance with the Bond Purchase Agreement, if applicable, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 12. Retention of Municipal Advisor. The services of Sudsina & Associates, LLC, as municipal advisor, be and are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the School District in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the School District or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. The Treasurer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 13. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

\_\_\_\_\_ seconded the motion.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### **TREASURER'S CERTIFICATION**

The above is a true and correct excerpt from the minutes of the regular meeting of the Board of Education of Westlake City School District, Ohio, held on January 23, 2017, the date, time and place of which having been established at the Board's 2017 organizational session, held on January 9, 2017, showing the adoption of the Resolution set forth above.

Dated: January 23, 2017

\_\_\_\_\_  
CFO/Treasurer, Board of Education  
Westlake City School District, Ohio

**RESOLUTION TO ACCEPT GIFTS AND CONTRIBUTIONS  
(ORC 3313.36)**

RESOLVED that the Westlake Board of Education accepts with gratitude the following donations and in so doing hereby acknowledges the positive and supportive activities of those listed.

The CBC Foundation 34560 Parkview Road Willoughby Hills, OH 44092	Donated \$3,000.00 to Westside Connections at Westlake High School to provide social and educational opportunities for adults with special needs in the Westlake area.
The Estfan Family 31089 Bellerive Court Westlake, OH 44145	Donated \$400.00 to Bassett Elementary School to purchase miscellaneous educational supplies and materials.
First Federal of Lakewood 24441 Detroit Avenue Westlake, OH 44145	Donated \$300.00 to the Art Department at Westlake High School for student development.
Hyland Software 28500 Clemons Road Westlake, OH 44145	On behalf of Sheila Lowe, donated \$150.00 to the Athletics Department at Westlake High School to offset Cheerleading expenses as needed.
Dr. Dvora Nelson Jeter Nelson Vein & Surgical Services 30915 Lorain Road North Olmsted, OH 44070	Donated 2017 desk calendars to the Westlake City School District for use by staff.
Mr. John Shumway 24382 Hilliard Blvd. Westlake, OH 44145	Donated \$500.00 to Leadership Challenge at Westlake High School to help defray student costs for the annual Leadership Challenge retreat.
Mr. and Mrs. Kenneth Tatter 3671 Lake Road Sheffield Lake, OH 44054	Donated a treadmill to the Sensory Room at Lee Burneson Middle School to provide sensory opportunities for special needs students.
Kertes Enterprises, Inc. Randy Kertes 3439 W. Brainard Road, Suite 260 Woodmere, OH 44122	Donated \$750.00 to the TechMates Club at Westlake High School to award prizes to the top three finishers in the “Best Green Building” category of the 20 <sup>th</sup> Annual Student Model Home Design contest.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_



## RESOLUTION TO APPROVE EMPLOYMENT FOR STAFF MEMBERS

RESOLVED that the Westlake Board of Education approve the following employment for staff members.

<u>Classified Employment</u>						
<u>Name</u>	<u>Building/Position</u>	<u>Date</u>	<u>Step</u>	<u>Hours</u>	<u>Days</u>	<u>Months</u>
Robert Baird	HL Asst. Head Custodian	1/17/17	5	8	5	12
Jeanette Kruse	WHS Supervision Asst	1/17/17	1	From 4.5 to 6	5	9

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

## RESOLUTION TO APPROVE SUPPLEMENTAL CONTRACTS

RESOLVED that the Westlake Board of Education approves the following supplemental contracts (in-district and out-of-district) for the 2016-2017 school year:

<u>Name</u>	<u>Position</u>		<u>In District</u>	<u>Step</u>
Michael Allan	DIS Greensleeves		Y	13
Michael Allan	DIS Strings		Y	13
Kelly Smith	DIS Band		Y	8
Scott Rovniak	LBMS Band		Y	20
Kurt Thonnings	LBMS Environmental Club		Y	0
Joni Patton	DIS Choir	50%	Y	4
Michael Abbadini	DIS Choir	50%	Y	0

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

## RESOLUTION TO APPROVE THE EMPLOYMENT OF PROJECT LINK PERSONNEL

RESOLVED that the Westlake Board of Education approves the employment of the following Project Link personnel effective 11/07/2016:

<u>Name</u>	<u>Position</u>	<u>Step</u>
Amy Carey	Assistant Site Coordinator	1

RESOLVED that the Westlake Board of Education approves the employment of the following Project Link personnel effective 1/04/2017:

<u>Name</u>	<u>Position</u>	<u>Step</u>
Catherine Nowlin	Project Link Instructor	3
Eva Starr	Project Link Instructor	3

  

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Bianca Beekman	Community Education Instructor	\$25.31 /Hour
Mark Bender	Community Education Instructor	\$25.31 /Hour
Chris Frantz	Community Education Instructor	\$25.31 /Hour
Alan Ziga	Community Education Instructor	\$25.31 /Hour

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

RESOLUTION TO APPROVE HOME INSTRUCTION

RESOLVED that the Westlake Board of Education approves the following licensed employee to provide Home Instruction.

Home Instructor

James Bingham, Effective 1/17/17  
Not to Exceed 40 Hours

Melissa Barth, Effective 1/17/17  
Not to Exceed 120 Hours

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

RESOLUTION TO APPROVE LICENSED SUBSTITUTE

RESOLVED that the Westlake Board of Education approves the following licensed substitute during the 2016-17 school year.

Name  
Dorothy Beyer

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

RESOLUTION TO APPROVE MIDDLE SCHOOL GAME WORKERS

RESOLVED that the Westlake Board of Education approves the following Middle School Girls' Basketball Game Workers:

Middle School Game Workers

Islam Abu Hamdeh

Lee Scaggs

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

**RESOLUTION TO ADJUST THE EXEMPT EMPLOYEE SALARY SCHEDULE  
AND PLACEMENT**

RESOLVED, that the Westlake Board of Education adjust the exempt employee salary schedule and placement as follows:

	1	2	3	4	5	6	7	8	9
	<b>Assistant to Supt.</b>	<b>Payroll Manager/Budget Analyst</b>	<b>Assistant to CFO</b>	<b>Assistant to Directors</b>	<b>Accounts Payable</b>	<b>Clerical</b>	<b>Senior Tech</b>	<b>Tech</b>	<b>EMIS Coordinator</b>
<b>Step 0</b>	<b>1.30</b>	<b>1.36</b>	<b>1.24</b>	<b>1.20</b>	<b>1.20</b>	<b>1.10</b>	<b>1.40</b>	<b>1.30</b>	<b>1.46</b>
<b>Step 1</b>	<b>1.34</b>	<b>1.40</b>	<b>1.28</b>	<b>1.24</b>	<b>1.24</b>	<b>1.13</b>	<b>1.44</b>	<b>1.34</b>	<b>1.50</b>
<b>Step 2</b>	<b>1.38</b>	<b>1.44</b>	<b>1.32</b>	<b>1.28</b>	<b>1.28</b>	<b>1.16</b>	<b>1.48</b>	<b>1.38</b>	<b>1.54</b>
<b>Step 3</b>	<b>1.42</b>	<b>1.48</b>	<b>1.36</b>	<b>1.32</b>	<b>1.32</b>	<b>1.19</b>	<b>1.52</b>	<b>1.42</b>	<b>1.58</b>
<b>Step 4</b>	<b>1.46</b>	<b>1.52</b>	<b>1.40</b>	<b>1.36</b>	<b>1.36</b>	<b>1.22</b>	<b>1.56</b>	<b>1.46</b>	<b>1.62</b>
<b>Step 5</b>	<b>1.50</b>	<b>1.56</b>	<b>1.44</b>	<b>1.40</b>	<b>1.40</b>	<b>1.25</b>	<b>1.60</b>	<b>1.50</b>	<b>1.66</b>
<b>Step 6</b>	<b>1.54</b>	<b>1.60</b>	<b>1.48</b>	<b>1.44</b>	<b>1.44</b>	<b>1.28</b>	<b>1.64</b>	<b>1.54</b>	<b>1.70</b>
<b>Step 7</b>	<b>1.58</b>	<b>1.64</b>	<b>1.52</b>	<b>1.48</b>	<b>1.48</b>	<b>1.31</b>	<b>1.68</b>	<b>1.58</b>	<b>1.74</b>
<b>Step 8</b>	<b>1.62</b>	<b>1.68</b>	<b>1.56</b>	<b>1.52</b>	<b>1.52</b>	<b>1.34</b>	<b>1.72</b>	<b>1.62</b>	<b>1.78</b>
<b>Step 9</b>	<b>1.66</b>	<b>1.72</b>	<b>1.60</b>	<b>1.56</b>	<b>1.56</b>	<b>1.37</b>	<b>1.76</b>	<b>1.66</b>	<b>1.82</b>
<b>Step 10</b>	<b>1.70</b>	<b>1.76</b>	<b>1.64</b>	<b>1.60</b>	<b>1.60</b>	<b>1.40</b>	<b>1.80</b>	<b>1.70</b>	<b>1.86</b>
<b>Step 11</b>	<b>1.74</b>	<b>1.80</b>	<b>1.68</b>	<b>1.64</b>	<b>1.64</b>	<b>1.43</b>	<b>1.84</b>	<b>1.74</b>	<b>1.90</b>
<b>Step 12</b>	<b>1.78</b>	<b>1.84</b>	<b>1.72</b>	<b>1.68</b>	<b>1.68</b>	<b>1.46</b>	<b>1.88</b>	<b>1.78</b>	<b>1.94</b>

<b>Exempt Base</b>	<b>8/1/2016</b>	<b>32,478.25</b>
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EXHIBIT C-2-b-7  
(Continued)

	1	2	3	4	5	6	7	8	9
	Assistant to Supt.	Payroll Manager/Budget Analyst	Assistant to CFO	Assistant to Directors	Accounts Payable	Clerical	Senior Tech	Tech	EMIS Coordinator
0	42221.73	44170.42	40273.03	38973.90	38973.90	35726.08	45469.55	42221.73	47418.25
1	43520.86	45469.55	41572.16	40273.03	40273.03	36700.42	46768.68	43520.86	48717.38
2	44819.99	46768.68	42871.29	41572.16	41572.16	37674.77	48067.81	44819.99	50016.51
3	46119.12	48067.81	44170.42	42871.29	42871.29	38649.12	49366.94	46119.12	51315.64
4	47418.25	49366.94	45469.55	44170.42	44170.42	39623.47	50666.07	47418.25	52614.77
5	48717.38	50666.07	46768.68	45469.55	45469.55	40597.81	51965.20	48717.38	53913.90
6	50016.51	51965.20	48067.81	46768.68	46768.68	41572.16	53264.33	50016.51	55213.03
7	51315.64	53264.33	49366.94	48067.81	48067.81	42546.51	54563.46	51315.64	56512.16
8	52614.77	54563.46	50666.07	49366.94	49366.94	43520.86	55862.59	52614.77	57811.29
9	53117.14	55862.59	51965.20	50666.07	50666.07	44495.20	57161.72	53913.90	59110.42
10	55213.03	57161.72	53264.33	51965.20	51965.20	45469.55	58460.85	55213.03	60409.55
11	56512.16	58460.85	54563.46	53264.33	53264.33	46443.90	59759.98	56512.16	61708.68
12	57811.29	59759.98	55862.59	54563.46	54563.46	47418.25	61059.11	57811.29	63007.81

Name	Category	Step	
Robin Allen	6	1	Effective 08/01/16 – 01/02/17
Robin Allen	3	2	Effective 01/03/17
Lynda Appel	9	3	
Jennifer Dossa	6	2	
Pam Dreher	4	5	
Patrick Furlong	8	6	
Dana Hoffman	1	1	Effective 01/10/17
Kim Katz	2	6	
Dottie Kozak	3	9	Effective 08/01/16 – 01/31/17
Robin Murray	2	10	
Robertta Rence	6	5	
Meri Shortreed	4	1	10-month position eff. 08/01/16 – 01/31/17
Meri Shortreed	4	1	12-month position eff. 02/01/17
Ron Stephenson	7	9	
Jackie Stroh	1	9	Effective 08/01/16 – 01/03/17
Mary Studer	5	2	
Eric Tedder	8	5	
Ruth Weible	4	1	
Lisa Zuk	4	9	

Motion by: \_\_\_\_\_  
 Seconded by: \_\_\_\_\_  
 Roll Call Vote:  
 Mrs. Leszynski \_\_\_\_\_  
 Mr. Kraft \_\_\_\_\_  
 Mr. Finucane \_\_\_\_\_  
 Dr. Stoll \_\_\_\_\_  
 Dr. Winter \_\_\_\_\_



RESOLUTION TO APPROVE CLASSIFIED SUBSTITUTE FOR STAFF MEMBERS

RESOLVED that the Westlake Board of Education approves the following classified substitute for staff members for the 2016-2017 school year.

Lori Stella

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

RESOLUTION TO APPROVE CONTRACTS AND AGREEMENTS

RESOLVED that the Westlake Board of Education approves the following contracts and agreements.

Certified Languages International Service Agreement

ESC of Cuyahoga County Audiology and/or Hearing Impaired Services

ESC of Cuyahoga County Visual Impairments

Interagency Agreement among:

Council for Economic Opportunities in Greater Cleveland – Early Head Start & Head Start

Cuyahoga County Board of Developmental Disabilities

Cuyahoga County Local Education Agencies

Family and Children First Council of Cuyahoga County

Help me Grow of Cuyahoga County

Starting Point for Child Care and Early Education

The Centers for Families and Children – Head Start Grantee for Catholic Charities and Ohio Guidestone

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

**RESOLUTION TO APPROVE APPLICATIONS FOR  
PAYMENT IN LIEU OF TRANSPORTATION**

WHEREAS, the Westlake City School District has declared the following students impractical to transport for the 2016-2017 school year;

THEREFORE, the Westlake City School District Board of Education approves applications for payment in lieu of transportation to the parent or guardian for the 2016-2017 school year as follows:

<u>Messiah Lutheran School</u>		<u>Montessori Children's School</u>	
Elizabeth Hessler	Kaitlyn Carlin	Elizabeth Ammori	Grant Stephens
Sofia Monteleon	Luke Rusnak	Zain Abbas	Keanu Fisher
		Evalina Beeler	Marina Daiuto
		Grady Beeler	Suryan Jain
		Luki Cvijetinovic	Sara Landeras
		Chrysanthi	Logan Malloy
		Constantinou	Jola Sema
		Kasch Carder	Ardea Sema
		Humam Tamim	Natalie Taher
		Avery Walker	
<u>Westside Christian Academy</u>		<u>Al Ihsan School - Parma</u>	
Matthew Abbuhl	Cyrus Pierre	Mohamad Alaiti	Ali Said
Philip Abbuhl	Alceo Pierre	Taleen Hafez	Reem Almawaldi
Pippo Grimaldi	Zia Pierre	Salim Hamdan	Rama Mamoun
Gabriella Grimaldi	Aaron Nicholas	Ali Ghanem	Adam Ghanem
Hunter Anthony	Noah Nicholas	Irfan Mamoun	Lakhani Aaidh
Jackson Anthony	Anna Prugh		
Lillia Thomas	Eve Prugh		
Isabell Lash	Ariana Yessayan		
Daniel Murad	Gracie May Tyler		
Faith Vanderburg	Zoard Vasarhelyi		

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

RESOLUTION TO RECOGNIZE GIRLS LACROSSE AS A VARSITY SPORT

RESOLVED that the Westlake Board of Education recognizes Girls Lacrosse as a varsity sport.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

EXHIBIT C-2-f

RESOLUTION TO APPROVE THE WESTLAKE HIGH SCHOOL COURSE OF STUDIES  
FOR THE 2017-2018 SCHOOL YEAR

RESOLVED that the Westlake Board of Education approves the Westlake High School Course of Studies for the 2017-2018 school year.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

EXHIBIT E-2

RESOLUTION TO APPROVE BOARD POLICIES

RESOLVED that the Westlake Board of Education approves the following Board policies. (see attached).

Bylaw 0100  
Bylaw 0167.1  
Bylaw 0169.2  
Policy 1530  
Policy 2460  
Policy 3223  
Policy 5330.02  
Policy 5409  
Policy 5410  
Policy 5464  
Policy 8330

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Mrs. Leszynski \_\_\_\_\_

Mr. Kraft \_\_\_\_\_

Mr. Finucane \_\_\_\_\_

Dr. Stoll \_\_\_\_\_

Dr. Winter \_\_\_\_\_

**REVISED DEFINITIONS - VOL. 35, NO. 1**

**DEFINITIONS**

Whenever the following items are used in these **bylaws, policies and administrative guidelines**, they shall have the meaning set forth below:

**Administrative Guideline**

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

**Agreement**

A collectively negotiated contract with a recognized bargaining unit.

**Apps and Web Services**

Apps/web services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100, above) over a network, or client-server applications in which the user interface runs in a web browser. Apps/web services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps/web services also are used to facilitate communication to, from and among and between, staff, students, and parents.

**Board**

The Board of Education.

**Bylaw**

Rule of the Board for its own governance.

**Classified Employee**

An employee who provides support to the District's program and whose position does not require a professional license.

**Compulsory School Age**

A child between six and eighteen years of age or a child under six years of age who has been enrolled in kindergarten unless at any time the child's parent or guardian, at the parent's or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten.

**District**

The School District.

**Due Process**

The safeguards to which a person is entitled in order to protect his/her rights.

**Educational Service Center Superintendent [LOCAL]**

The Superintendent of Schools for the Educational Service Center of Cuyahoga County.

**Full Board**

Authorized number of voting members entitled to govern the District.



### **Information Resources**

The Board defines Information Resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, web sites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

### **May**

This word is used when an action by the Board or its designee is permitted but not required.

### **Meeting**

Any prearranged discussion of the Board's public business by a majority of Board members.gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body.

### **Parent**

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise. When a student is the subject of a power of attorney or caretaker authorization affidavit executed by the student's grandparent(s), the term parents shall also refer to the grandparent designated as the attorney-in-fact under the power of attorney or the grandparent who executed the affidavit.

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- [X] Although the grandparent is authorized to provide consent in all school related matters and to obtain from the school district educational and behavioral information about the student, the power of attorney does not preclude the parent, guardian or custodian of the child from having access to all school records pertinent to the child.

- [ X] Likewise, although the grandparent is authorized to provide consent in all school related matters and to discuss with the school district the student's educational progress, the caretaker authorization affidavit does not preclude the parent, guardian or custodian of the child from having access to all school records pertinent to the child.

R.C. 3313.64, 3109.52, 3109.65

### **Personal Communication Devices**

#### **Policy**

A general, written statement by the governing board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

#### **President**

The chief executive officer of the Board. (See Bylaw 0170)

#### **Principal**

The educational leader and head administrator of one (1) or more District schools. In policy and administrative guidelines, implies delegation of designated responsibilities to appropriate members of his/her staff.

#### **Professional Staff Member**

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the Division of Teacher Education and Licensing.

**Relative**

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

**Secretary**

The chief clerk of the Board of Education.

**Shall**

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

**Student**

A person who is officially enrolled in a school or program of the District.

**Superintendent**

The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.

**Technology Resources**

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

**Textbook**

This word is used to describe the learning material duly adopted and required as standard work for the study of a particular subject. It may be bound and printed with a hard or soft cover, or it may be electronic, e.g., computer software, interactive videodisc, magnetic media, CD ROM, computer courseware, on-line service, electronic medium, or other means of conveying information.

**Treasurer**

The chief fiscal officer of the District.

**Vice-President**

The Vice-President of the Board of Education. (See Bylaw 0170)

**Voting**

A vote at a meeting of the Board of Education. The law requires that Board members must be physically present in order to have their vote officially recorded in the Board minutes. R.C. 3313.18, 3313.20

Citations to Ohio Statute are noted as R.C. (Revised Code). Citations to Rules of the State Board of Education are noted as A.C. (Administrative Code). Citations to the Federal Register are noted as FR, to the Code of Federal Regulations as C.F.R., and to the United States Code as U.S.C.

**REVISED BYLAW 0167.1 - VOL. 35, NO. 1**

0167.1      **Use of Electronic Mail/Text Messages**

Since E-mail and Text Messages are forms is a form of communication that could conflict with the Sunshine Law, ~~it~~they will be used only for the purposes of communicating:

- (X) messages between Board members or between a Board member and employee(s) which do not involve deliberating or rendering a decision on matters pending before the Board;
- (X) possible agenda items between the Superintendent and the Board President;
- (X) times, dates, and places of regular or special Board meetings;
- (X) a Board meeting agenda or public record information concerning items on the agenda;
- (X) requests for public record information from a member of the administration, school staff, or community pertaining to District operations;
- (X) responses to questions posed by members of the public, administrators, or school staff.

Under no circumstances shall Board members use E-mail or Text Messages to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

There should be no expectation of privacy for any messages sent by E-mail. Messages that have been deleted may still be accessible on the hard drive, if the space has not been occupied by other messages. Messages, deleted or otherwise, may be subject to disclosure under the Public Records Act, unless an exemption would apply.

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**REVISED BYLAW 0169.2 - VOL. 35, NO. 1**

( ) with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

[ ] The portion of the meeting during which the participation of the public is invited shall be limited to \_\_\_\_\_, unless extended by a vote of the Board.

R.C. 3313.20

0169.2 **Open Meetings/Sunshine Law**

The Sunshine Law applies to the Board, and to any committee or subcommittee created by the Board or required by law or rule.

A "meeting" to which the Sunshine Law applies is any prearranged discussion of the public business of the Board, committee or subcommittee by a majority of its members, including, but not limited to, regular and special meetings, work sessions, retreats, planning meetings, and study groups. A series of prearranged meetings attended by a minority of the Board to discuss the public business, without giving proper notice, is a violation of the Sunshine Law. A majority of members may gather at social or other events, but may not discuss public business. **The Sunshine Law prohibits any private prearranged discussion of public business by a majority of Board members regardless of whether the discussion occurs face to face, telephonically, by video conference, or electronically by e-mail, text messages, tweet, or other forms of communication.**



**REVISED POLICY - VOL. 35, NO. 1**

**EVALUATION OF PRINCIPALS AND OTHER ADMINISTRATORS**

**Application**

This policy shall apply to all persons employed by the Board of Education in a position requiring licensure as an administrator. This definition excludes school counselors but includes professional pupil services personnel and administrative specialists (or equivalent positions) who spend less than fifty percent (50%) of their time teaching or otherwise working directly in the presence of students.

This policy shall also apply to all persons employed in positions not requiring administrative licensure, but whose job duties enable them to be considered either a "supervisor" or "management level employee" as defined in R.C. 4117.01.

**Procedures**

**General Requirements**

The Superintendent shall implement a program of regular evaluation for all administrative personnel which includes the following elements:

- A. The evaluation process shall fairly attempt to measure the administrator's effectiveness in performing the duties set forth in his/her job description.
- B. A written evaluation document shall be produced for each evaluation. Each administrator shall be evaluated at least once annually.
- C. The evaluation shall be conducted by the Superintendent or his/her designee (such designation may be oral or in writing) prior to the Board's consideration of contract renewal or non-renewal, the Superintendent shall review the results of the evaluation process with the Board.

**Specific Requirements for Building Principals and Assistant Principals**

In addition to the above, procedures for the evaluation of District building principals and assistant principals will be based upon comparable standards as set forth in the policy adopted by the Board for the evaluation of teachers pursuant to R.C. 3319.111,

(X) which adopts the Ohio Teacher Evaluation System (OTES)

but tailored to address the duties and responsibilities of building principals and assistant principals and the environment in which they work. The Superintendent is authorized to develop administrative guidelines for the procedural and substantive evaluation of building principals and assistant principals consistent with this policy and State law

(X) and is further authorized to access the Ohio Principal Evaluation System (OPES) model as a resource in the development and maintenance of an evaluation process which is weighted equally on student growth measures and performance on the standards of the profession for principals and assistant principals.

**Evaluation Instruments**

The Superintendent may, in his/her discretion, utilize a single evaluation instrument for all administrative positions, instruments particularized for each position, or a combination of both types of instruments.

Evaluation instruments shall be developed and/or utilized by the Superintendent as s/he may determine in his/her best professional judgment and may be modified from time-to-time by the Superintendent in the exercise of such professional judgment. Specific Board approval of the evaluation instruments or modifications to such instruments shall not be required.

### **Basis for Evaluation**

Each evaluation shall fairly attempt to measure the administrator's effectiveness in performing the duties of his/her job description.

Evaluations may be based upon the direct formal observations of the administrator, but may also consider informal or incidental observations and other relevant information which is within the knowledge of or brought to the attention of the evaluator. Out-of-school conduct may be considered if such conduct impairs the individual's effectiveness as an administrator or as a role model for students and staff.

### **Observations and Conferences**

A pre-evaluation conference may be conducted if deemed necessary or advisable by the evaluator.

Formal observations may be made of the administrator, either announced or unannounced, but shall not be a required element of the evaluation process except for principals and assistant principals, who are subject to OPES. Whether formal observations are deemed appropriate to ~~the other administrative positions~~ position shall be determined by the evaluator on a case-by-case basis.

Following any formal observations and/or gathering of other evaluative data, and before finalizing any evaluation report, the evaluator shall arrange a post-evaluation conference at which the results of the evaluation process are discussed with the administrator. To the extent that any weaknesses or deficiencies have been identified in the evaluation process, the evaluator shall offer suggestions for improvement. Identified weaknesses and suggestions for improvement shall be identified in the evaluation report, but shall not be a required element of any evaluation. However, for principals and assistant principals, the requirements of OPES shall apply in determining the need for growth and/or improvement plans.

A final written evaluation report shall be produced in a manner deemed appropriate by the evaluator, in consultation with the administrator. This evaluation report may be combined with the evaluation instruments, or may be a separate document. The evaluation report shall be signed and dated by the administrator and the evaluator at the conclusion of the post-evaluation conference. The signature of the administrator shall not necessarily indicate that s/he agrees with the evaluator's comments or conclusions, but only that s/he has been made aware of such comments or conclusions. A copy of the evaluation report shall be provided to the administrator.

The final evaluation report for an administrator in the last year of his/her contract shall include the Superintendent's intended recommendation to the Board concerning the renewal or non-renewal of the contract.

**Number and Timing of Evaluations**

A. Administrator Not in Final Year of Contract

An administrator not in the final year of his/her contract shall be evaluated at least once during the school year. A written copy of the evaluation report shall be provided to the administrator no later than the end of the administrator's contract year as defined by the administrator's annual salary notice.

B. Administrator in Final Year of Contract

An administrator whose contract is due to expire at the conclusion of the current school year shall have at least one (1) preliminary evaluation and one (1) final evaluation during such year. A written copy of the preliminary evaluation report shall be provided to the administrator at least sixty (60) days prior to any Board action on the renewal or non-renewal of the contract. A written copy of the final evaluation report shall be provided to the administrator at least five (5) days prior to any Board action on the renewal or non-renewal of the contract.

### **Meeting with Board**

Each administrator shall be provided the opportunity to meet with the Board in executive session prior to the Board's action on his/her contract. In this meeting, the Board shall discuss its reasons for considering the renewal or non-renewal of the contract. The administrator may be accompanied by a representative of his/her choosing at the meeting. However, no witnesses or other persons may appear with or on behalf of the administrator without the express permission of the Board.

Written notice of the right to have such a meeting with the Board shall be provided in accordance with law to each administrator whose contract is expiring at the conclusion of the current school year.

### **Written Rebuttal**

The administrator may, at any time following the receipt of an evaluation report, submit a written rebuttal, not to exceed three (3) pages in length, which shall be promptly attached to the evaluation report and any copies of the evaluation report which are retained in the District's records or submitted to the Board for its consideration.

### **Legal Effect**

This policy and the procedures contained herein shall not create a legal expectancy of continued employment or a property interest in continued employment, and shall not be deemed a part of any individual administrator's contract or otherwise a contractual obligation of the Board.

To the extent that any of the procedures contained herein exceed the requirements of Ohio law, such procedures shall not be construed as a pre-condition to contract non-renewal and shall not prevent the Board from proceeding with a contract non-renewal which otherwise satisfies the minimum requirements of Ohio law.

R.C. 3319.02, 3319.111, 3319.112, 4117.01

**REVISED POLICY - VOL. 35, NO. 1**

**SPECIAL EDUCATION**

The Board of Education is committed to providing a free appropriate public education **(FAPE)** to children with disabilities identified in accordance with applicable State and Federal laws, rules, and regulations. **This includes students who are confined to community corrections facilities or juvenile detention centers. The District shall provide students with disabilities the services to which they are entitled pursuant to their individualized education programs (IEPs) and in accordance with the Operating Standards for Ohio Educational Agencies Serving Children with Disabilities, including Child Find and Evaluation requirements. Students with disabilities who are in adult county jails shall continue to receive FAPE during incarceration subject to their continued eligibility for services and subject to exceptions related to security and safety.**

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In order to satisfy the requirements of the *Operating Standards for Ohio Educational Agencies Serving Children with Disabilities* ("Ohio Operating Standards"), the Board of Education adopts the model policies and procedures promulgated by the Ohio Department of Education's Office of Exceptional Children (ODE-OEC), which is incorporated by reference into this policy. While the Special Education Model Policies and Procedures ("Model Policies") issued by the ODE-OEC are comprehensive, the document does not include every requirement set forth in the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA"), the regulations implementing the IDEIA, the Operating Standards, the Ohio Revised Code, and/or the Ohio Administrative Code. As such, the Board affirms its obligation to follow these laws and regulations, regardless of whether their provisions are restated in the Model Policies.

Copies of Model Policies and Procedures are available at the office of the Board of Education.

R.C. 3323.05, 3323.051, 3323.08  
A.C. 3301-51-01 et seq., 3301-51-02(F)  
IDEIA, 20 U.S.C. 1400 et seq.  
34 C.F.R. Part 300

**REVISED POLICY - VOL. 35, NO. 1**

**STANDARDS-BASED SCHOOL COUNSELOR EVALUATION**

The Board of Education is responsible for a standards-based school counselor evaluation policy which conforms to the framework for the evaluation of school counselors as approved by the State Board of Education and aligns with the "Standards for School Counselors" as set forth in State law.

[X] The Board of Education adopts the Ohio School Counselor Evaluation System (OSCES) as approved by the State Board of Education.

The Board believes school counselors play a critical role in supporting student learning and success and maintaining a positive school environment. The standards based system of school counselor evaluations is designed to provide meaningful and consistent feedback to support counselor professional growth and inform employment decisions.

This policy shall be implemented as set forth herein

**Definitions**

**"OSCES"** - Stands for the Ohio School Counselor Evaluation System as adopted by the Ohio State Board of Education, or as otherwise modified by the State Board of Education.

**"School Counselor"**– For purposes of this policy, "school counselor" means an employee who holds a license issued pursuant to O.A.C. 3301-24-05 by the Ohio Department of Education in the area of school counseling and who is assigned to a position in that capacity.

Teachers and other employees who do not meet this definition are not subject to evaluation under this policy. Full time bargaining unit members who do not meet the definition will be evaluated in accordance with Board policy and/or utilizing the evaluation procedures of the collective bargaining agreement in effect between the Board and the **Westlake Teachers' Association.**

**"Credentialed Evaluator"**- For purposes of this policy, each counselor subject to evaluation will be evaluated by a person who has completed the OSCES training as required by the Ohio Department of Education.

- [X] The Board shall authorize the Superintendent/designee to approve and maintain a list of credentialed evaluators as necessary to effectively implement this policy.

**"Evaluation Cycle"** – is the period of time for the completion of the evaluation procedure. The evaluation cycle is completed when selected student metrics are combined with the counselor performance ratings resulting from performance assessments on the standards that are conducted for the current school year to assign a summative evaluation rating.

**"Evaluation Factors"**– refers to the multiple measures that are required by law to be used in the school counselor evaluation procedures, including performance on all six (6) areas identified by the standards and the ability to produce positive outcomes using student metrics selected by the Board. School counselors will receive a score in each of the six standards and the student metrics, which shall be weighted equally (1/7 of the final summative score).

**"Evaluation Framework"** – means the standards-based framework adopted by the State Board of Education for the evaluation of school counselors in accordance with R.C. 3319.113.

**"Evaluation Instruments"** – refers to the forms used by the school counselor's evaluator as developed locally.

**"Evaluation Procedure"** – the procedural requirements set forth in this policy are intended to provide specificity to the statutory obligations established under R.C. 3319.113 and to conform to the framework for the evaluation of school counselors developed under R.C. 3319.113.



**"Evaluation Rating"** – means the final summative evaluation level that is assigned to a school counselor pursuant to terms of this policy. The evaluation rating is assigned at the conclusion of the evaluation cycle when the school counselor performance rating is combined with the results of student metrics. Each completed evaluation will result in the assignment of one (1) of the following evaluation ratings to Accomplished, Skilled, Developing, or Ineffective.

**"High Performing School Counselor"** - is a school counselor who earns a summative rating of "Accomplished" or "Skilled" on his/her most recent evaluations.

**"School Counselor Performance"** – is the assessment of a school counselor's performance on each of the six State-adopted standards, resulting in a performance rating. As an evaluation factor, the school counselor performance dimension is based on direct observations of a counselor's practice by a credentialed evaluator. Performance results are reported as a performance rating that may be coded as "1" indicating lowest performance to "4" indicating highest performance.

**"Student Metrics"** - the locally determined measure(s) that assess a school counselor's ability to produce positive student outcomes.

#### **Standards-Based School Counselor Evaluation**

School Counselor evaluations will utilize multiple factors, with the intent of providing meaningful feedback to each school counselor and assigning an effectiveness rating based upon school counselor performance and the counselor's assessment on selected student metrics.

- A. Accomplished;
- B. Skilled;
- C. Developing; or
- D. Ineffective.

The specific standards and criteria for distinguishing between these ratings/levels of performance shall be the same as those developed by the State Board of Education, which are incorporated herein by reference.

The Superintendent shall annually cause to be filed a report to the Ohio Department of Education (ODE) in accordance with requirements mandated by ODE. The Board will utilize the ODE's guidelines for reporting this information.

### **Assessment of School Counselor Performance**

School Counselor performance will be evaluated during formal observations and periodic informal observations. Such performance will be assessed through a holistic process by trained and credentialed evaluators based upon the following *Ohio Standards for School Counselors*:

- A. Comprehensive School Counseling Program Plan;
- B. Direct Services for Academic, Career and Social/Emotional Development;
- C. ~~Direct Services for Academic, Career and Social/Emotional Development;~~ Indirect Services: Partnerships and Referrals;
- D. Evaluation and Data;
- E. Leadership and Advocacy; and
- F. Professional Responsibility, Knowledge and Growth.

### **Formal and Informal Observations**

- A. School Counselors shall be evaluated based on at least two (2) formal observations of at least thirty (30) minutes each and informal observations each school year.

- B. A high performing school counselor will be evaluated less frequently as follows.
1. A school counselor who receives a rating of "Accomplished" on his/her most recent evaluation may be evaluated every three (3) years, as long as the counselor's metrics for student outcomes for the most recent year for which data is available, is "skilled" or higher. If the determination is made to evaluate every three (3) years, the counselor will nevertheless be provided with at least one (1) observation and conference in any year that such counselor is not formally evaluated.
  2. A school counselor who receives a rating of "Skilled" on his/her most recent evaluation may be evaluated every other year, as long as the counselor's metrics for student outcomes for the most recent year for which data is available, is "skilled" or higher. If the determination is made to evaluate every other year, the counselor will nevertheless be provided with at least one (1) observation and conference in any year that such counselor is not formally evaluated.

Evaluations will be completed by May 1st and each school counselor will be provided a written report of the results of his/her evaluation by May 10th. Written notice of nonrenewal will be provided by June 1st.

### **Formal Observation Procedure**

The observations will not be conducted when school counselors are engaged in counseling activities with students that require confidentiality.

- [X]** The first formal observation shall be preceded by a conference between the evaluator and the employee prior to the observation in order for the employee to explain plans and objectives for the classroom situation to be observed. The second observation will be unannounced.

### **Informal Observation/Walkthrough Procedure**

The observations will not be conducted when school counselors are engaged in counseling activities with students that require confidentiality.

An informal observation is a formative assessment process that focuses on one (1) or more of the components included in the State-adopted standards.

An informal observation should be of sufficient duration to allow the evaluator to assess the focus of the observation.

Data gathered from the observation must be placed on the appropriate designated form. Written feedback from observations shall be provided after the observation. The school counselor and/or evaluator may request a face to face meeting to discuss observations relative to the identified focus of the informal observation.

- A. Informal observations shall not unreasonably disrupt and/or interrupt the work day.
- B. A final debriefing and completed form must be shared with the employee within a reasonable amount of time.

#### **Assessment of Student Metrics**

The Board will select student metrics that will be utilized for school counselor evaluations in the areas of academics, career, and social emotional development. Any modifications to the metrics that will be used in school counselor evaluations will be adopted before the start of the school year.

Data from these approved measures of student growth will be scored on four (4) levels, with a score of "1" being the lowest and "4" being the highest.

#### **Final Evaluation Procedures**

Each school counselor's performance rating for each of the six (6) standards will be combined with the assessment of student metrics to produce the final summative.

The evaluator shall provide that each evaluation is submitted to the school counselor for his/her acknowledgement by written receipt. If signed by the employee, the receipt is to be sent to the Superintendent as soon as received.

### **Professional Growth Plans and Professional Improvement Plans**

Based upon the results of the annual evaluations conducted in accordance with this policy, each school counselor must develop either a professional growth plan or professional improvement plan as follows:

- A. School counselors with a final summative rating of "Accomplished" will develop a professional growth plan.
- B. School counselors with a final summative rating of "Skilled" will develop a professional growth plan collaboratively with their evaluator.
- C. School counselors with a final summative rating of "Developing" will develop a professional growth plan collaboratively with their evaluator. A building administrator must approve the professional growth plan.
- D. School counselors with a final summative rating of "Ineffective" will develop an improvement plan with their evaluator. A building administrator must approve the improvement plan.

Professional growth and improvement plans must be completed by **October 31st** each school year. The Board retains the discretion to place a school counselor on an improvement plan at any time based on deficiencies in any individual component of the evaluation system.

### **Board Professional Development Plan**

In accordance with the State Board of Education's Statewide evaluation framework, the Board has adopted a specific plan for the allocation of financial resources to support the professional development of school counselors covered by this policy. The plan will be reviewed annually.

**Retention and Promotion Decisions/Removal of Poorly Performing School counselors**

The evaluations produced will serve to inform the Board on employment decisions, i.e., retention, promotion of school counselors, renewal of employment contracts, and the removal/nonrenewal of poorly performing school counselors.

**Definitions:**

**"Retention"**- for purposes of this policy refers to employment decisions on the question of whether or not to suspend a contract pursuant to a reduction in force, nonrenew a limited or extended limited contract, or terminate employment for good and just cause. In the case of a reduction in force, seniority will not be considered when making decision on contract suspensions, except in the instance of comparable evaluations. The decision to nonrenew or terminate the contract of a poorly performing school counselor may be informed by the evaluation(s) conducted under this policy. However, decisions to nonrenew or terminate an employment contract are not limited by the existence of this policy.

**"Promotion"**- as used in this context is of limited utility given the fact that school counselors covered by this policy are not currently employed in any discernible hierarchy. Nevertheless, when making decisions relative to such matters as determining employee assignments, the Board will consider school counselor performance as indicated by evaluations.

**"Poorly Performing School Counselors"**- refers to school counselors identified through the evaluation process set forth in this policy who demonstrate an inability and/or unwillingness to meet the reasonable expectations of this standards-based evaluation system.

**"Comparable Evaluations"**- since seniority may not be the basis for school counselor retention or other employment decisions, except when deciding between counselors who have comparable evaluations, this refers to counselors within the categories of "Ineffective," "Developing," "Skilled," and "Accomplished."

**Removal of Poorly Performing School Counselors**

- [X] Removal of poorly performing school counselors will be in accordance with the nonrenewal and termination statutes of the Ohio Revised Code
- ( ) and/or the relevant provisions of the collective bargaining agreement in effect between the Board and the \_\_\_\_\_.

Nothing in this policy will be deemed to prevent the Board from exercising its rights to nonrenew, terminate, or suspend a school counselor contract as provided by law and the terms of the collective bargaining agreement in effect between it and the **Westlake Teachers' Association**. The evaluation system and procedures set forth in this policy shall not create an expectation of continued employment for employees on a limited contract that are evaluated under this policy. The Board reserves the right to nonrenew a school counselor evaluated under this policy in accordance with R.C. 3319.11 notwithstanding the school counselor's final summative rating.

R.C. 3319.02, 3319.11, 3319.113, R.C. 3319.16  
A.C. 3301-24-05  
H.B. 64



**REVISED POLICY - VOL. 35, NO. 1**

**PROCUREMENT AND USE OF EPINEPHRINE AUTO INJECTORS IN  
EMERGENCY SITUATIONS**

In accordance with state law, the Board of Education shall procure epinephrine auto-injectors ("Epi-Pens") for use in emergency situations. Epinephrine is a prescription drug used to treat life-threatening allergic reactions caused by insect bites or stings, foods, medications, latex, and other causes. The Superintendent shall adopt a policy and procedures, alternatively termed "Administrative Guidelines," governing the maintenance and use of Epi-Pens. The Superintendent shall consult with a licensed health professional who is authorized to prescribe drugs ("Prescriber") when developing policy/administrative guidelines.

The Superintendent's policy/administrative guidelines shall:

- ~~A.~~ ~~include a prescriber issued protocol specifying definitive orders for Epi-Pens and the dosages of epinephrine to be administered through the Epi-Pens;~~
- ~~B.~~A. identify the location(s) in each school building where the Epi-Pens shall be stored;
- ~~C.~~B. specify the conditions under which Epi-Pens must be stored, replaced, and disposed of;
- ~~D.~~C. specify the individuals employed by or under contract with the Board, in addition to a licensed school nurse and licensed athletic trainer, who may access and use Epi-Pens in emergency situations;
- ~~E.~~D. specify the training that Board employees or contractors (besides school nurses or athletic trainers) must complete before being authorized to access and use Epi-Pens;
- ~~F.~~E. identify the emergency situations, including when an individual exhibits signs and symptoms of anaphylaxis, in which a school nurse, athletic trainer, or other trained employee/contractor may access and use an Epi-Pen;

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G.F. specify that assistance from an emergency medical service provider (911) must be requested immediately after an Epi-Pen is used; and

H.G. specify individuals, in addition to students, employees, contractors, and visitors, to whom a dosage of epinephrine may be administered through an Epi-Pen in an emergency situation.

Each Building Principal shall endeavor to maintain at least two (2) Epi-Pens of both prescribed doses in their building. In procuring Epi-Pens, the Board will accept donations of Epi-Pens from wholesale distributors of dangerous drugs or manufacturers of dangerous drugs, as well as donations of money from any person to purchase Epi-Pens. The Superintendent shall report to the Ohio Department of Education ("ODE"), in the form and manner determined by ODE, each procurement of Epi-Pens and each occurrence in which an Epi-Pen is used from District's supply.

~~In order to allow the use of an Epi-Pen in an emergency situation pursuant to this Policy and AG 5330.02, the Superintendent shall obtain a standing order or protocol from an authorized prescriber in order to administer epinephrine from the District's supply. The Superintendent shall retain the original standing order/protocol and provide a copy of it to each Building Principal of each school at which Epi-Pens are maintained in accordance with this Policy and AG 5330.02.~~  
In order to facilitate the use of an Epi-Pen in an emergency situation pursuant to this Policy and AG 5330.02, the Board will procure Epi-Pens by either (1) having a licensed health professional authorized to prescribe drugs, acting in accordance with State laws, personally furnish the Epi-Pens to the District or issue a prescription for them in the name of the District, or (2) having the Superintendent obtain a prescriber-issued protocol that includes definitive order for Epi-Pens and the dosages of epinephrine to be administered through them. If the Superintendent obtains a prescriber-issued protocol, s/he will retain the original protocol and provide a copy of it to each Building Principal of each school at which Epi-Pens are maintained in accordance with this Policy and AG 5330.02.

~~In accordance with Ohio law, the Board, and its members, employees and contractors shall not be liable in a civil action for damages resulting from injuries arising from acts or omissions associated with procuring, maintaining, accessing, or using Epi-Pens in emergency situations as prescribed by this policy and AG 5330.02, unless the act or omission constitutes willful or wanton misconduct.~~  
In accordance with Ohio law, the Board, its members, employees and contractors, and a licensed health professional authorized to prescribe drugs who personally furnishes or prescribes Epi-Pens, consults with the Superintendent, or issues a protocol, shall not be liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using Epi-Pens in emergency situations as provided for by this policy and AG 5330.02, unless the act or omission constitutes willful or wanton misconduct.

R.C. 3313.7110, 4723.483, 4729.01, 4729.51, 4730.432, 4731.96

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# policy

**BOARD OF EDUCATION  
WESTLAKE CITY SCHOOL DISTRICT**

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## STUDENT ACCELERATION

In order to comply with the requirements of R.C. 3324.10 that boards of education adopt and implement a policy commencing with the 2006-2007 school year that addresses at least whole grade and subject area acceleration, and early high school graduation, the Board expressly combines herein and incorporates by reference:

- A. Policy 5112 - Entrance Requirements
- B. Policy 5410 - Promotion, Academic Acceleration, Placement, and Retention
- C. Policy 5464 - Early High School Graduation

Students and/or parents who are interested in student evaluation and consideration for whole grade or subject area acceleration or early high school graduation should contact the building principal and/or the student's guidance counselor. Parents who wish to have their child evaluated and considered for early admission to kindergarten should contact the building principal.

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.

- [X] 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:

- (X) completed the course and State-mandated requirements at the presently assigned grade;
- (X) in the opinion of the professional staff, achieved the instructional objectives set for the present grade;
- (X) demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade;
- (X) 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 **school year for grades Kindergarten through 8<sup>th</sup> grade and each semester for grades 9-12.**

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 **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 **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:

- (X) in the opinion of the professional staff, failed to demonstrate proficiency in mathematics and **English Language Arts.**

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:

- (X) require the recommendation of the relevant staff members for promotion, placement, or retention;
- (X) require that parents are informed in advance of the possibility of retention of a student at a grade level;
- (X) assure that efforts will be made to remediate the student's difficulties before s/he is retained;

- (X) assign to the principal the **(X) final** responsibility for determining the promotion, placement, or retention of each student;
- (X) 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)

### EARLY HIGH SCHOOL GRADUATION

The Board of Education acknowledges that some students seek to pursue educational goals that include graduation from high school at an earlier date than their designated class.

A student who completes the requirements for early high school graduation may participate in the graduation ceremonies with his/her designated class or the class graduating in the year in which s/he completes the District's requirements for high school graduation.

#### **Early High School Graduation - General**

Application for early high school graduation must be submitted to the high school principal.

The principal may honor this request if all conditions for high school graduation are met and the student fulfills the high school graduation requirements.

#### **Early High School Graduation – Advanced Learners**

Any student residing in the District may be referred for early high school graduation by a staff member or parent/guardian to the principal of his/her school. Students may refer themselves or a peer through a staff member who has knowledge of the referred child's abilities. Copies of referral forms will be available at each school building.

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

Before a student is evaluated for early high school graduation, the principal (or his/her designee) must 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 appropriateness of early high school graduation for the student. The committee shall include the following:

- A. a parent/legal guardian of the referred student
- B. a gifted education coordinator or gifted intervention specialist, or, if neither is available, a school psychologist or guidance counselor with expertise in early high school graduation
- C. a principal or assistant principal from the student's current school
- D. a current teacher of the referred student

The acceleration evaluation committee shall be responsible for conducting a fair and thorough evaluation of the student.

Students referred for early high school graduation shall be evaluated based on past academic performance, measures of achievement based on State academic content standards, and successful completion of State mandated graduation requirements. The acceleration evaluation committee will consider the student's own thoughts on possible accelerated placement in its deliberations.

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 final decision within 30 calendar days of receiving the appeal. The Superintendent or his/her designee's decision shall be final.

If the student is recommended for early high school graduation, the acceleration evaluation committee will develop a written acceleration plan designed to allow the student to complete high school graduation requirements on an accelerated basis. The plan may include the provision of educational options in accordance with A.C. 3301-35-06(G), waiving District graduation requirements that exceed those by the State, and early promotion to sophomore (or higher) status to allow the student to take the Ohio Graduation Test.

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

R.C. 3324.10

**REVISED POLICY - VOL. 35, NO. 1**

**STUDENT RECORDS**

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older, or a student of any age who is enrolled in a postsecondary institution.

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Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant), and
- B. contractors, consultants, volunteers, or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers)

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered a "school official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

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"Legitimate educational interest" is defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory, or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a private or public school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  - 1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  - 2. the parent or eligible student, upon request, receives a copy of the record; and
  - 3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;



B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a juvenile detention facility in which the student has been placed, or a juvenile court that has taken jurisdiction of the student.

B.C. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;

C.D. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;

D.E. release de-identified records and information in accordance with Federal regulations;

E.F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

| F.G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as State and local educational authorities;

The disclosed records must be used to audit or evaluate a Federal or State supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

This written agreement must include: (1) designation of the receiving entity as an authorized representative; (2) specification of the information to be disclosed; (3) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements; (4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; (5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and (6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the District will use "reasonable methods" to verify that the authorized representative complies with FERPA regulations. Specifically, the District will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government-supported educational program. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit, evaluation or compliance activity.

| G.H. request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, or otherwise restricted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of each request for access and each disclosure of personally identifiable information. Such disclosure records will indicate the student, person viewing the record, their legitimate interest in the information, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent, or, if the student is an eligible student, without the written consent of the student, except to those persons or parties stipulated by the Board's policy and administrative guidelines and/or those specified in the law.

#### **DIRECTORY INFORMATION**

Each year the Superintendent shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information": a student's name; address; telephone number; date and place of birth; major field of study; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; or awards received.

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- [X] The Board designates school-assigned e-mail accounts as “directory information” for the limited purpose of facilitating students’ registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes and for inclusion in internal e-mail address books.

School-assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider and internal users of the District's Education Technology.

Directory information shall not be provided to any organization for profit-making purposes.

Parents and eligible students may refuse to allow the Board to disclose any or all of such "directory information" upon written notification to the Board within 10 days after receipt of the Superintendent's annual public notice.

In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request in writing that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces." The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of "directory information," either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information," on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

#### **INSPECTION OF INFORMATION COLLECTION INSTRUMENT**

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least 10 business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within 5 business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazine, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

The Superintendent is directed to prepare administrative guidelines so that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to those disclosures allowed by the law;

- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Board as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.



Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board of Education delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Education. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

R.C. 9.01, 149.41, 149.43, 1347 et seq., 3113.33, 3319.321  
34 C.F.R. Part 99  
20 U.S.C., Section 1232f through 1232i (FERPA)  
26 U.S.C. 152  
20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act  
20 U.S.C. 7165(b)  
20 U.S.C. 7908