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SCHOOL DISTRICT LEGAL STATUS

The United States Constitution leaves to the individual states responsibility for public education.

The Ohio General Assembly is under mandate by the Constitution of Ohio to provide for the organization, administration and control of a public school system supported by public funds. The Ohio State Constitution also calls for a State Board of Education and a Superintendent of Public Instruction.

The General Assembly has outlined the duties of the State Board of Education and the Chief State School Officer. It has also established a State Department of Education (through which policies and directives of the State Board and Superintendent of Public Instruction are administered) and has established specific types of school districts.

The Fairfield County Educational Service Center (ESC) is governed by a locally elected governing board and is composed of Amanda-Clearcreek Local, Berne Union Local, Bloom-Carroll Local, Fairfield Union Local, Liberty Union-Thurston Local, Pickerington Local, Walnut Township Local in Fairfield County.

[Adoption date: January 7, 2003]

LEGAL REFS.: U.S. Const. Amend. X
Ohio Const. Art. VI, § 2; § 3; § 4
ORC 3301.011
Chapter 3311.01

COMMUNITY INVOLVEMENT IN DECISION MAKING

Community participation in the affairs of the schools is important if the ESC and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. The Board makes efforts to identify the wishes of the community and to be responsive to those wishes.

The Board and the staff give consideration to the advice they receive from individuals and community groups interested in the schools. Final authority for all decisions rests with the Board.

[Adoption date: January 7, 2003]

LEGAL REF.: OAC 3301-35-03(J)

CROSS REFS.: BCE, Board Committees
BCFA, Business Advisory Council to the Board

STAFF INVOLVEMENT IN DECISION MAKING

The ESC involves the efforts of many people and functions best when all personnel are informed of the major activities and concerns.

There should be an exchange of ideas and pertinent information among all elements of a school district. Problems and unfavorable attitudes develop when employees are denied information essential for the performance of their respective assignments or when they feel that their ideas and concerns are not heard. Morale is enhanced when employees are assured that their voices are heard by those in positions of administrative authority.

A pattern of decision making and problem solving close to the task also contributes to efficiency and high morale.

While all employees have the opportunity to bring their ideas or grievances to the Board, they are expected to proceed through the recognized administrative channels. Final authority for all decisions rests with the Board.

[Adoption date: January 7, 2003]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: BCE, Board Committees
BF, Board Policy Development and Adoption
CCB, Staff Relations and Lines of Authority
CE, Administrative Councils, Cabinets and Committees
DBD, Budget Planning
GCD, Certified Staff Hiring
GDD, Classified Staff Hiring
IF, Curriculum Development

NONDISCRIMINATION

The Board's policy of nondiscrimination extends to students, staff, job applicants, the general public and individuals with whom it does business and applies to race, color, national origin, citizenship status, religion, sex, economic status, age or disability.

The Board does not permit discriminatory practices and views harassment as a form of discrimination. Harassment is defined as intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation; or the use of language, conduct or symbols in such a manner as to be commonly understood to convey hatred, contempt or prejudice or to have the effect of insulting or stigmatizing an individual.

Employees or students who engage in discrimination of another employee or student shall be subject to disciplinary action.

Permission, consent or assumption of risk by an individual subjected to discrimination does not lessen the prohibition contained in this policy.

No one shall retaliate against an employee or student because he/she files a grievance; assists or participates in an investigation, proceeding or hearing regarding the charge of discrimination of an individual; or because he/she has opposed language or conduct that violates this policy.

[Adoption date: January 7, 2003]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Rehabilitation Act; 29 USC 794
Individuals with Disabilities Education Act; 20 USC 1401 et seq.
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 42 USC 1324a et seq.
Americans with Disabilities Act; 42 USC 12112 et seq.
Ohio Const. Art. I, § 2
ORC 3323.01
Chapter 4112
OAC 3301-35-02(A)(1); 3301-35-03(A)

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex
ACAA, Sexual Harassment
ACB, Nondiscrimination on the Basis of Disability
GBA, Equal Opportunity Employment
JB, Equal Educational Opportunities
Staff Handbook
Student Handbook

NONDISCRIMINATION ON THE BASIS OF SEX

The U.S. Department of Education has published regulations for implementing Title IX of the Education Amendments of 1972, which prohibits sex discrimination in federally assisted education programs.

Title IX states, in part: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

The Board ensures compliance with Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964 and the regulations promulgated through the U.S. Department of Education.

[Adoption date: January 7, 2003]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Ohio Const. Art. I, § 2
ORC Chapter 4112
OAC 3301-35-03(A)

CROSS REFS.: AC, Nondiscrimination
ACAA, Sexual Harassment
ACB, Nondiscrimination on the Basis of Disability
GBA, Equal Opportunity Employment
IIAA, Textbook Selection and Adoption
JB, Equal Educational Opportunities
Staff Handbook
Student Handbook

NONDISCRIMINATION ON THE BASIS OF SEX

Title IX Grievance Procedure Policy

1. Any employee who believes to have been discriminated against because of sex may file a written grievance with the Title IX compliance officer within 30 days of the incident considered to be discriminatory.
 - A. If a decision is not made by the Title IX compliance officer within 10 working days of the filing, the grievance may be submitted in writing to the Fairfield County ESC Superintendent.
 - B. If the employee is not satisfied with the decision of the Title IX compliance officer, the decision may be appealed within 10 working days by the same procedures as in 1.a. above.
2. If a decision is not made by the ESC Superintendent within 10 working days of the filing, the grievance may be submitted in writing to the President of the Fairfield County ESC Governing Board.
3. If the employee is not satisfied with the decision of the ESC Superintendent, the decision may be appealed as in 2. above.
4. After receiving the appeal at a regularly scheduled meeting, the ESC Governing Board shall render a final decision no later than the next regular meeting following the receipt of the appeal.

(Approval date: January 7, 2003)

SEXUAL HARASSMENT

All persons associated with the ESC, including, but not limited to, the Board, the administration, the staff and the students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Sexual harassment, whether verbal or nonverbal, occurring inside or outside of ESC buildings, on other ESC-owned property or at school-sponsored social functions/activities, is illegal and unacceptable and will not be tolerated. Any person who engages in sexual harassment while acting as a member of the school community is in violation of this policy.

The Board has developed complaint procedures which are available to victims. The Board has also identified disciplinary penalties which could be imposed on the offenders.

Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or educational development;
2. submission to, or rejection of, such conduct by an individual is used as the basis for employment or education decisions affecting such individual or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive environment.

Examples of sexual harassment-type conduct may include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated sexual jokes, flirtations, advances or propositions; verbal abuse of a sexual nature; graphic verbal commentary relating to an individual's body, sexual prowess or sexual deficiencies; coerced sexual activities; any unwanted physical contact; sexually suggestive or obscene comments or gestures; or displays in the workplace of sexually suggestive or obscene objects or pictures. Whether any such act or comment may constitute sexual harassment-type conduct is often dependent on the individual recipient.

The Grievance Officer: The Board appoints one or more sexual harassment grievance officers who are vested with the authority and responsibility for processing all sexual harassment complaints in accordance with the procedure set forth in the accompanying regulation and staff and student handbooks.

Sexual matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible. Although discipline may be imposed against the accused upon a finding of guilt, retaliation is prohibited.

[Adoption date: January 7, 2003]

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LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 42 USC 2000e et seq.
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Immigration Reform and Control Act; 42 USC 1324a et seq.
Ohio Const. Art. I, § 2

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
GBA, Equal Opportunity Employment
JB, Equal Educational Opportunities
JHG, Reporting Child Abuse
Staff Handbook
Student Handbook

CONTRACT REFS.: Teachers' Negotiated Agreement
Classified Staff Negotiated Agreement

SEXUAL HARASSMENT

All sexual harassment complaints are processed in accordance with the following procedure:

1. Employees who have reason to believe that harassment as defined above has occurred should promptly report the same to their immediate supervisor, the Superintendent, or the President of the Governing Board. The identity of anyone so reporting remains confidential to the extent permitted by law unless authorization otherwise is given.
2. To the extent consistent with the maintenance of confidentiality as provided herein, any such report will be investigated by the person who receives the report, and following the investigation the investigator shall take one or more of the following actions:
 - A. meet with the subject of the complaint to discuss the investigation;
 - B. meet with the subject of the complaint and the complaining party (or other affected persons) to discuss the investigation;
 - C. prepare a letter to the subject of the complaint;
 - D. provide for third-party mediation between the subject of the complaint and the complaining party (or other affected persons);
 - E. request to meet with the Governing Board to discuss the situation and solutions or
 - F. such other action appropriate under the circumstances, including disciplinary action.

(Approval date: January 7, 2003)

NONDISCRIMINATION ON THE BASIS OF DISABILITY

The Board maintains that discrimination against a qualified disabled person solely on the basis of disability is unfair. To the extent possible, qualified disabled persons should be in the mainstream of life in a school community. In addition, the ESC is the recipient of federal funds and therefore must be in compliance with all laws and regulations which deal with disabled individuals.

Accordingly, employees of the ESC comply with the law and Board policy to ensure nondiscrimination on the basis of disability. The following is expected.

1. No one discriminates against qualified disabled persons in any aspect of school employment solely on the basis of disability.
2. Facilities, programs and activities are made available to qualified disabled persons.
3. Free appropriate public education at elementary and secondary levels, including nonacademic and extracurricular services and activities, are provided to qualified disabled persons.
4. No one excludes any qualified disabled person, solely on the basis of disability, from participation in any preschool education, day care, adult education or vocational education program.
5. Each qualified disabled person is provided with the same health, welfare and other social services which are provided to others.

[Adoption date: January 7, 2003]

LEGAL REFS.: Individuals with Disabilities Education Act; 20 USC 1401 et seq.
Rehabilitation Act of 1973; 29 USC 794
Americans with Disabilities Act; 42 USC 12112 et seq.
ORC 3323.01 et seq.
Chapter 4112

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
AE, School District Goals and Objectives
GBA, Equal Opportunity Employment
IGBA, Programs for Disabled Students
JB, Equal Educational Opportunities

Fairfield County Educational Service Center, Lancaster, Ohio

Staff Handbook
Student Handbook

NONDISCRIMINATION ON THE BASIS OF DISABILITY

The Board maintains that no otherwise qualified person shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity sponsored by this Board.

As used in this policy and any implementing regulations, disabled person means a person who has or had or is regarded or was regarded as having a handicapping/disabling condition; disabling condition means a physical or mental impairment that substantially limits one or more of a person's major life activities and includes specific learning disabilities.

Notice of the Board's policy on nondiscrimination in employment and education practices shall be given in the Board policy manual, posted throughout the ESC and published in any ESC statement regarding the availability of employment positions or special education services.

Employment

No employee or candidate for employment shall be discriminated against in recruitment, employment, promotion, training or transfer solely because of his/her disabling condition.

No candidate for employment shall be required to answer a question regarding a disabling condition, and no such candidate will be discriminated against on the basis of a disabling condition that is not directly related to the essential function of the position for which he/she has applied.

Reasonable modifications in scheduling and the allocation of duties, not directly affecting the instructional programs, shall be made to accommodate employment conditions to the needs of disabled persons.

Enforcement

The Superintendent or his/her designee shall serve as Section 504 compliance officer. A complaint regarding a violation of law and this policy in an employment decision shall be subject to a grievance procedure that provides for the prompt and equitable resolution of the disputes. The grievance procedure shall follow these steps.

1. The grievant will file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the Section 504 compliance officer.
2. The compliance officer shall make all reasonable efforts to resolve the matter informally at the administrative level most immediate to the complaint.
3. In the event the complaint cannot be resolved informally, the compliance officer will convene an informal hearing, no later than 30 calendar days after the filing of the

complaint, at which both the grievant and the administrator responsible for the disputed action may present testimony and documents relevant to the complaint. Witnesses may be called and cross-examined. Detailed minutes of the hearing will be made and kept; a copy of the minutes will be made available to each party. Within 30 calendar days of the hearing, the compliance officer will provide a written copy of his/her determination to both parties.

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4. The grievant may appeal the determination of the compliance officer to the Board within 30 calendar days of the receipt of the compliance officer's determination. The appeal shall be in writing and attached to copies of the original complaint, the minutes of the hearing, and the written determination of the compliance officer. The Board may, in its discretion, convene a hearing at which the parties may present additional testimony and argument.
5. Within 30 calendar days of the filing of appeal, the Board shall provide both parties with a written decision.

Employees of this ESC shall be informed that a complaint may be filed without reprisal by the Board or any of its employees or agents. The grievant shall be notified by the Board or any of its employees or agents. The grievant shall be notified of his/her rights of appeal at each step of the process, and accommodations to the needs of disabled grievants shall be made. A grievant shall be informed of his/her right to file a formal complaint under Section 504 with or without recourse to the grievance procedure established by this policy.

A complaint regarding the identification, evaluation, classification or educational program of an educationally disabled student shall be governed by due process rules and by the conflict resolutions process established by State and Federal laws.

Evaluation and Compliance

The Board directs the Superintendent or his/her designee to evaluate ESC programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Board will submit such assurances of compliance as are required by law.

(Approval date: January 7, 2003)

DEVELOPMENT OF PHILOSOPHY OF EDUCATION

The Board's philosophy of education gives direction to the educational program and daily operations of the ESC.

Periodically, the policy committee of the Board and the Superintendent evaluate the philosophy of education. Suggestions from both the staff and community are considered.

The committee revises or confirms the existing philosophy or writes a new statement of philosophy. The committee presents its recommendation regarding a philosophy of education to the Board for adoption or re-adoption.

All building and course of study philosophies reflect and extend the Board's philosophy. The Superintendent disseminates the Board's philosophy of education to all staff members and directs that it be published in all handbooks.

[Adoption date: January 7, 2003]

LEGAL REFS.: OAC 3301-35-02; 3301-35-03

CROSS REFS.: ADA, Educational Philosophy
BF, Board Policy Development and Adoption
BFG, Policy Review and Evaluation

EDUCATION PHILOSOPHY

The Board believes that each student in our schools has the right to receive the best education that the ESC can provide for him/her. Recognizing that all children do not have the same abilities, needs or interests, our schools must attempt to meet these diverse abilities, needs and interests through a varied curriculum and a stimulating environment.

The Board believes that it is the duty of the ESC to develop the highest quality, educational service organization possible. The Board is dedicated to providing administrative, curricular, instructional, student personnel and professional development services to the schools of the ESC. These services are primarily designed to assist boards of education, administrators, teachers and other staff members of the local schools to help each student develop to his/her maximum potential and become a socially and economically productive member of society. The Board recognizes that it is our obligation to reflect the values, beliefs, and desires of the parents of the students that are served by providing these supportive services. It is our duty to be responsible and responsive to the electorate that has selected us as members of the Fairfield County Governing Board.

To promote the above beliefs, it is our purpose to assist local districts in developing the educational programs that they deem necessary for the improvement of their schools and to provide leadership that is informed about the best educational practices available.

[Adoption date: January 7, 2003]

MISSION STATEMENT

The ESC exists for the sole purpose of providing educational leadership and supportive services to meet the individual and collective needs of the staff, students and boards of education of the Amanda-Clearcreek, Berne Union, Bloom-Carroll, Fairfield Union, Liberty Union-Thurston, Pickerington and Walnut Township local school districts. As appropriate for the maintenance of these supportive services, the ESC shall extend requested services to other school districts within the region on a cooperative/contractual basis. The ESC is an integral part of the educational service network providing both needed services and a vital linkage with the Ohio Department of Education.

The ESC will fulfill administrative responsibilities as required by the Ohio Revised Code and will provide administrative support services to local school districts in order to monitor and to facilitate ESC compliance with the standards of the Ohio State Board of Education. These include, but are not limited to, the promotion of efficient and cost effective educational programs and services, staff development, business management, community relations and public information, fiscal planning and implementation of services as required by the Revised Code, the ESC, or as requested by the Ohio Department of Education in a manner responsive to current and future social and economic trends.

The ESC shall strive to assist local school districts in their efforts to provide excellent and exemplary programs for the students of the Fairfield County community.

[Adoption date: January 7, 2003]

SCHOOL DISTRICT GOALS AND OBJECTIVES

As a base against which to assess school needs and set objectives for the educational program, the Board, following consultation with teaching staff members, students, parents and other residents of the ESC, adopts the following educational goals for every student.

To acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively.

To acquire a stock of basic information concerning the principles of the physical, biological and social sciences, the historical record of human achievements and failures and current social issues.

To become an effective and responsible contributor to the decision-making processes of the political and other institutions of the community, state, country and world.

To acquire job entry-level skills and also to acquire knowledge necessary for further education.

To acquire the understanding of and the ability to form responsible relations with a wide range of other people, including but not limited to those with social and cultural characteristics different from his/her own.

To acquire the capacities for playing satisfying and responsible roles in family life.

To acquire the knowledge, habits and attitudes that promote personal and public health, both physical and mental.

To acquire the ability and the desire to express himself/herself creatively in one or more of the arts and to appreciate the aesthetic expressions of other people.

To acquire the understanding of ethical principles and values and the ability to apply them to his/her own life.

To develop an understanding of his/her own worth, abilities, potentialities and limitations.

To learn to enjoy the process of learning and to acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

[Adoption date: January 7, 2003]

LEGAL REF.: OAC 3301-35-02(A)

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CROSS REFS.: ABA, Community Involvement in Decision Making (Also KC)
ADA, Educational Philosophy
DBD, Budget Planning
KA, School-Community Relations Goals
Continuous Improvement Plan

COMMITMENT TO ACCOMPLISHMENT

Evaluation of ESC operations is a chief responsibility of the Board and is the only means of determining whether the educational goals adopted are being achieved.

The evaluation program may include, but is not limited to, the following areas:

1. curriculum and instruction
2. personnel
3. business operations

Appraising the success of the instructional program is particularly important. Only through an awareness of the strengths and shortcomings of the program can the Board and Superintendent have a sound basis for making improvements. The improvements are made by the Superintendent through the implementation of policies adopted by the Board.

The Board:

1. assesses the ESC's operations and achievement of goals by information gathered from the Superintendent and Treasurer;
2. evaluates the Superintendent and Treasurer according to job descriptions and Board expectations and
3. evaluates itself according to its established goals and purposes.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3313.22; 3313.60
3319.01; 3319.02; 3319.08; 3319.081
OAC 3301-35-02; 3301-35-03

CROSS REFS.: AE, School District Goals and Objectives
AF, all subcodes
BCC, Qualifications and Duties of the Treasurer
CBA, Qualifications and Duties of the Superintendent

EVALUATION OF BOARD OPERATIONAL PROCEDURES

The Board plans and carries through an annual appraisal of its functioning as a board. This appraisal considers the broad realm of relationships and activities inherent in Board responsibilities.

The appraisal process and instrument are determined by the Board.

[Adoption date: January 7, 2003]

CROSS REFS.: AF, Commitment to Accomplishment
BCB, Board Officers
BCD, Board-Superintendent Relationship (Also CBI)
BD, Board Meetings
BF, Board Policy Development and Adoption
BHA, New Board Member Orientation
DA, Fiscal Management Goals

EVALUATION OF BOARD OPERATIONAL PROCEDURES

Boards of education expect a high level of performance from those who are employed to run the schools. School patrons and other taxpayers also expect a high level of performance from those who are elected to govern the schools.

Ultimately, the performance of an individual Board member is measured at election time. However, that is not enough. Each Board should set aside some time on a regular basis to compare individual assessments of how well the governing body is functioning. The instrument or scoring system is not important. What is important is for the Board to establish a plan to regularly analyze its method of operation. The results of evaluation should be used in setting goals for improved operations in the future.

SELF-EVALUATION INSTRUMENT

Board Meetings - Official action can be taken only when the Board is in session. Therefore, each meeting must be organized for maximum efficiency.

Adequate	Inadequate	The Board of Education:
_____	_____	reads agenda and background materials well in advance of meeting
_____	_____	makes public feel welcome; provides agenda, minutes and related materials
_____	_____	assures that meeting time, place and facilities are convenient for Board, staff and public
_____	_____	does not present new issues of complex nature for immediate action
_____	_____	does not abuse privilege of tabling important issues
_____	_____	demonstrates knowledge and use of good parliamentary procedure
_____	_____	makes distinction between Board's role and function of administrators
_____	_____	ensures that a good public participation policy is in effect
_____	_____	endeavors to make most productive use of meeting time

Adequate	Inadequate	The Board of Education:
_____	_____	conducts all meetings in accordance with the "Sunshine Law"
_____	_____	selects officers on basis of ability

Board-Community Relations - The schools belong to the people. As elected officials, Board members have the responsibility to be representative, to be responsive and to be effective as agents of change.

_____	_____	actively seeks input from community in establishing goals and objectives
_____	_____	gives full support and cooperation to PTA and other citizens
_____	_____	establishes close working relationship with other units of government
_____	_____	is actively involved in state and federal education legislation
_____	_____	maintains effective two-way communication between school officials and residents of the ESC
_____	_____	ensures best possible relationship between school ESC officials and the media
_____	_____	makes best use of facilities and resources in meeting needs of community
_____	_____	provides leadership in securing maximum community support for a good educational program
_____	_____	approves annual budget within resources that can be certified in the "fiscal certificate"
_____	_____	adopts policies which ensure sound management and fiscal control

Board-Administrator Relations - A good Board-administrator relationship does not guarantee a successful educational program. It is doubtful, however, if a good program will exist in districts with poor Board-administrator relations.

_____	_____	evaluates performance of Superintendent and Treasurer on a regular basis
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Adequate	Inadequate	The Board of Education:
_____	_____	assures that all other personnel are evaluated on a regular basis by Superintendent and staff
_____	_____	works and plans with administration in spirit of mutual trust and confidence
_____	_____	recognizes Superintendent as chief executive officer and educational leader of the ESC
_____	_____	provides administrators encouragement and opportunity for professional growth
_____	_____	avoids interference with duties which are the responsibility of administrators
_____	_____	solicits input from certified staff in development of Board policies
_____	_____	addresses potential problems between Board and administrators at earliest opportunity
_____	_____	is willing to defend administrators from unjust and unfounded criticism
_____	_____	has explored the management team concept of operating the schools

Board-Staff Relations - Good education depends on good teachers. It is incumbent on Boards to seek maximum input from staff on educational issues while retaining the authority and responsibility for the operation of the schools.

_____	_____	approves job descriptions for all approved positions
_____	_____	adopts appropriate personnel policies in the areas of employment evaluation, reduction in force and related matters
_____	_____	encourages professional growth through staff development, in-service programs, visitations and conferences
_____	_____	refers complaints to appropriate person for discussion
_____	_____	preserves and maintains adequate management rights in any labor relations agreement

Instructional Program - The purpose of public schools is to provide educational opportunities for all students. To this end, it must be determined what are educationally valuable experiences and how they can best be delivered.

Adequate	Inadequate	The Board of Education:
_____	_____	provides equal access to curriculum and cocurricular activities for all students
_____	_____	approves course additions and deletions to the curriculum
_____	_____	balances the overall needs of students and community with efforts of special interest groups to influence the curriculum
_____	_____	encourages suggestions for curriculum improvement from students, staff and community
_____	_____	safeguards the privacy of student records
_____	_____	encourages a positive approach to student discipline
_____	_____	safeguards the rights of students to due process
_____	_____	provides policies that implement the educational standards of the State Board of Education

Personal Qualities - Maximum results as a Board member will be achieved only if high ethical standards of conduct are maintained in all personal, business and public activities.

Adequate	Inadequate	As a Board of Education member, I:
_____	_____	keep the education and welfare of children as my primary concern
_____	_____	represent the best interests of all patrons rather than special interest groups
_____	_____	understand the need for compromise; abide by decisions of the majority
_____	_____	channel complaints and potential problems to proper authority
_____	_____	have made the time commitment necessary to become an informed and effective Board member
_____	_____	reach decisions on the merits of issues and on the basis of best

available evidence

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Adequate	Inadequate	As a Board of Education member, I:
_____	_____	participate in in-service programs at regional, state and national levels
_____	_____	do not individually or unilaterally make decisions or commitments on the Board's behalf
_____	_____	am open and honest with other Board members and administrators; share information and avoid "surprises" whenever possible
_____	_____	am familiar with and abide by the OSBA Code of Ethics

Additional Comments:

EVALUATION OF THE SUPERINTENDENT

The Board evaluates the performance of the Superintendent in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the ESC with the best possible leadership.

Through evaluation of the Superintendent, the Board strives to:

1. clarify the role of the Superintendent as seen by the Board;
2. develop harmonious working relationships between the Board and Superintendent;
3. provide administrative leadership for the ESC and
4. identify strengths and weaknesses of the Superintendent's performance.

Criteria for the evaluation of the Superintendent are based upon the Superintendent's job description and relate directly to each of the tasks described. The job description and any revisions thereto are developed in consultation with the Superintendent and adopted by the Board.

The Board evaluates the abilities and services of the Superintendent at least once a year.

The evaluation of the Superintendent's abilities and performance is written and made available to and discussed with the Superintendent in conference. The Board must consider the evaluation of the Superintendent in acting to renew or nonrenew his/her contract.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 121.22
3319.01

CROSS REFS.: BDC, Executive Sessions
CBA, Qualifications and Duties of the Superintendent
CBC, Superintendent's Contract

EVALUATION OF THE TREASURER

The Board evaluates the performance of the Treasurer in order to assist both the Board and the Treasurer in the proper discharge of their responsibilities and to enable the Board to provide the ESC with the best possible leadership.

The objectives of the Board's evaluation are to:

1. promote professional excellence and improve the skills of the Treasurer;
2. improve the quality of ESC business practices and
3. provide a basis for the review of the Treasurer's performance.

Criteria for the evaluation of the Treasurer are based upon the Treasurer's job description and relate directly to each of the tasks described. The job description and any revisions thereto are developed in consultation with the Treasurer and Superintendent and adopted by the Board.

Evaluation criteria are reviewed as necessary or as requested by the Treasurer, but not less frequently than annually. Any proposed revision of the evaluation criteria shall be provided to the Treasurer for his/her comments before its adoption.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 121.22
3301.074
3313.22
OAC 3301-5

CROSS REFS.: BCC, Qualifications and Duties of the Treasurer
BCCA, Incapacity of the Treasurer

EVALUATION OF CERTIFIED STAFF
(Teachers)

Certificated Personnel Housed in ESC Office

Educational Service Center personnel undergo annual appraisal in accordance with procedures established by the Superintendent.

Personnel in Cooperative Programs

Personnel in cooperative, federal, fiscal agency projects or local districts undergo annual appraisal in accordance with procedures established by the Superintendent.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC Chapter 4117
3319.01; 3319.11; 3319.111; 3319.16; 3319.161
OAC 3301-35-03(A)(8)

EVALUATION OF CERTIFIED STAFF
(Administrators Both Certified and Classified)

The Superintendent institutes and maintains a comprehensive program for the evaluation of administrative personnel. Administrative personnel are all persons issued contracts in accordance with the Ohio Revised Code, including the following: assistant superintendents, principals, assistant principals and all other personnel required to maintain certificates/licenses in order to be employed as pupil-personnel workers and educational administrative specialists (provided that such person spends less than 50% of his/her time teaching or working with students) and any other employee whose duties enable him/her to be considered either a "supervisor" or "management-level employee" excluded from all of the employee bargaining units. In addition, evaluations should assist administrators in developing their professional abilities in order to increase the effectiveness of ESC management.

The purpose of administrator evaluations is to assess the performance of administrators, to provide information upon which to base employment and personnel decisions and to comply with the requirements of State law. All administrators are evaluated annually. In the year an administrator's contract does not expire, the evaluation is completed by the end of the contract year, and a copy is given to the administrator. In the year an administrator's contract does expire, two evaluations are completed, one preliminary and one final. The preliminary evaluation is conducted at least 60 days prior to March 31 and prior to any Board action on the employee's contract. Evaluations are considered by the Board in determining whether to re-employ administrators.

The final evaluation includes the Superintendent's intended recommendation for the contract of the employee. A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's contract. The employee may request a meeting with the Board prior to any Board action on his/her contract. The employee may have a representative of his/her choice at the meeting.

The evaluation measures the administrator's effectiveness in performing the duties included in his/her written job description and the specific objectives and plans developed in consultation with the Superintendent. The evaluations are conducted annually by the Superintendent/designee.

Evaluation criteria for each position are in written form and are made available to the administrator. The results of the evaluations are kept in personnel records maintained in the central office. The evaluated administrator has the right to attach a memorandum to the written evaluation. Evaluation documents, as well as information relating thereto, are accessible to each evaluatee and/or his/her representative.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3319.02; 3319.16; 3319.17; 3319.171; 3319.22
OAC 3301-35-03(A)(8)

CROSS REF.: GBL, Personnel Records

EVALUATION OF CERTIFIED STAFF
(Administrators Both Certified and Classified)

To assist administrators in the development of their professional abilities, to provide information for employment decisions and to comply with mandates of State law, the following procedures are employed by the Superintendent/designee in evaluating administrative personnel.

1. An initial meeting is held by the Superintendent prior to the school year with the administrators to discuss specific measurable objectives and plans for their achievement. A statement of these objectives and plans is submitted by each administrator to the Superintendent/designee at a time specified. These objectives and plans are written and maintained in each administrator's personnel file.
2. The evaluator employs the evaluation criteria which are designed to measure the administrator's effectiveness in performing the duties set forth in his/her written job description. All administrators will be evaluated prior to the end of their contract year. The evaluator will also assess the administrator's progress in meeting plans and objectives set for that school year. Areas of outstanding, satisfactory and poor performance will be noted. The Superintendent will meet with each administrator to discuss the written evaluation. The evaluatee is given a copy of the evaluation and has an opportunity to discuss it with the evaluator at this second meeting.
3. An ongoing dialogue concerning the administrator's objectives will continue and the evaluator and evaluatee will meet as needed or requested.
4. For those employees whose contracts are expiring at the end of the current school year, two evaluations must be completed. A preliminary evaluation must be received by the employee at least 60 days prior to any Board action on the employee's contract. A final evaluation must include the Superintendent's intended recommendation for the contract of the employee. A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's contract.
5. The employee may request a meeting with the Board prior to any Board action on his/her contract. The employee may have a representative of his/her choice at the meeting.
6. Administrators are automatically re-employed if they are not evaluated according to State law or provided a meeting, if requested, to discuss their renewal or nonrenewal.
7. All evaluation criteria, procedures and written job descriptions are reviewed annually by the Superintendent/designee and revised as necessary.

(Approval date: January 7, 2003)

EVALUATION OF CLASSIFIED STAFF

The Board recognizes the importance of implementing a program of classified employee evaluations for the purpose of promoting individual job performance and improving services to students, local districts and the public.

The goals of the Board's evaluation plan for classified personnel are to identify and remediate weaknesses that prevent an employee from achieving the goals of assigned duties.

The structure of the evaluation plan shall provide a procedure for identifying and commending effective performance and counseling and assisting employees where improvement is desired.

The Superintendent shall prepare regulations for the conduct of employee evaluations, which shall include the following information.

1. The setting of specific job objectives by the evaluator and evaluatee in mutual agreement.
2. The identification of constraints hindering achievement of the employee's objectives as determined by the evaluator and evaluatee in mutual agreement.
3. The conducting of evaluations will be done annually.
4. A method of making records that ensures are based on observable and verifiable facts, note is taken of an employee's strengths as well as weaknesses, the same recording system will be used for all employees similarly situated, and all materials will be held confidential.
5. The provisions for remediating unsatisfactory performance by recommending how improvement can be effected and scheduling follow-up conferences to assess change.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC Chapter 124
Chapter 4117
3319.081
OAC 3301-35-03(A)(8)

EVALUATION OF INSTRUCTIONAL PROGRAMS

The Board directs the Superintendent to develop and implement a systematic short-range and long-range plan for the continuing qualitative assessment of the progress of the ESC educational programs and the statewide goals established by the Board. To this end, the Superintendent recommends such tests and methods as may be indicated by best professional judgment.

The Board cooperates with the Superintendent of Public Instruction in such statewide assessment programs as are conducted pursuant to law and rule of the State Board of Education and shall utilize the data gained thereby toward the improvement of the schools of this ESC.

No test results shall be used to make comparisons among the schools of the ESC nor to compare the achievements or educational programs of one local district with any other district in this county.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3301.13
3313.60
3323.02
OAC 3301-35-02(B); 3301-35-03(K); 3301-35-07

EVALUATION OF EDUCATIONAL RESOURCES

The Superintendent evaluates the effectiveness of the educational resources used by the ESC to achieve the ESC's educational goals and objectives.

The individual resource areas are assessed yearly while the overall program is assessed every five years according to professionally recognized criteria and procedures.

The Superintendent is instructed to keep current relative to research and successful practices and to employ the best and most reliable methods and measures in the evaluative process.

[Adoption date: January 7, 2003]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: AC, Nondiscrimination
JO, Student Records
KA, School-Community Relations Goals