

BRIEF CASE

THE OHIO SCHOOL BOARDS ASSOCIATION

Serving the public school leadership team



Jan. 25, 2010

Volume 41 Issue 2

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State's public schools climb to fifth best in the U.S.

Ohio's public education system has improved for the third year in a row, rising to No. 5 in the nation. It is the state's best showing ever in *Education Week's* widely respected annual "Quality Counts" report. Ohio ranked seventh in 2008 and sixth in 2009. Maryland placed first for 2010, with a B+; the majority of states received grades of C or lower. The theme of the "Quality Counts 2010" report was the push for common standards and assessments. The report, which studies a broad range of state policies for improving public education, is available at <http://links.osba-ohio.org/96124>.

President Obama recognizes two Ohio teachers at White House ceremony

Sharon Hall, Kings Local (Warren), and Sally Pellegrin, Cleveland Municipal, were among more than 80 teachers that President Barack Obama honored on Jan. 4 at the White House. Obama presented the teachers with the Presidential Award for Excellence in Mathematics and Science Teaching. Hall is a fourth-grade math teacher at South Lebanon Elementary School. Pellegrin teaches fifth- and sixth-grade science at Clara E. Westropp Elementary School. For details on the awards, visit www.paemst.org.

OSBA announces new location for Board Leadership Institute

The 2010 OSBA Board Leadership Institute is set for April 23-24 at the Hilton Columbus/Polaris. The new location offers lower room rates, free parking and is adjacent to I-71 and first-class shopping and dining. The Friday-Saturday event features keynote speakers, luncheons, a reception and plenty of networking. The curriculum is designed by experienced school board members, which provides new board members with an outstanding opportunity to improve their skills. For registration information, see the promotional brochure inside this issue of the *Briefcase*.

NSBA national conference features high-impact keynote speakers

The National School Boards Association features a rich mix of outstanding speakers at its 70th Annual Conference, April 10-12, in Chicago. The general session speakers are: **Charlie Rose**, Emmy-winning broadcast journalist; Grammy-winning jazz musician and arts education supporter **Wynton Marsalis**; and **Steve Wozniak**, Apple Computer cofounder and education advocate. For details, see <http://links.osba-ohio.org/69046>.

Association welcomes new Board of Trustees members

The new members joining the OSBA Board of Trustees are, Central Region: **Cindy Crowe**, Westerville City, **Mindy Garverick**, South-Western City, **W. Shawna Gibbs**, Columbus City; Northeast Region: **Amy Reeves Grom**, Akron City; Northwest Region: **Jackie Brown**, Rossford EV, **Bob Vasquez**, Toledo City, **Dr. Angela Zimmann**,

Route workshop information to:

☐ New board members

Lucas County ESC; Southeast Region: **Sharon Manson**, Waverly City and Pike County Career Technology Center, and **W. Bryce Watt**, Muskingum Valley ESC; Southwest Region: **James Sommer**, Greenville City.

Reminder: Send info on board recognition activities to OSBA

The deadline to submit School Board Recognition Month photos and information is Feb. 8. OSBA will feature your activities in the *Journal* magazine and on its Web site. Please send your materials to gmoz@ohioschoolboards.org or **Gary Motz**, 8050 N. High St., Suite 100, Columbus, OH 43235. You also can submit online at www.osba-ohio.org/forms/sbrm.php.

Plan urges teachers to more fully embrace technology

The five-year State Educational Technology plan, recently released by eTech Ohio, says that many

Lancaster student's Flat Stanley returns from Iraq mission

When Army Cpl. **James Chaffin** opened a care package in Iraq last year he came across something unusual — a colorful paper doll known as Flat Stanley. The Flat Stanley program is an international project that fosters literacy and community-building skills.

The doll was from **Lancaster City** second-grader **Tracin Smith**, who had contributed it to a soldier's care package with a request that the recipient take the doll on an adventure through Iraq, document its experiences through writing and photos, and mail it back.

But Chaffin, whose home is near Lancaster, decided to personally return the doll during his next leave. On Jan. 6 he visited Tallmadge Elementary School, bringing Flat Stanley, photos of the doll in Iraq and an Army T-shirt, much to the delight of Tracin and his class.

Source: *Lancaster Eagle-Gazette*

teachers need to “rethink the role of technology in education.” The plan, available at www.eteach.ohio.gov, also lays out the state's educational technology priorities through 2014.

Web site deciphers the alphabet soup

AYP. EMIS. FERPA. Even OSBA.

Educators live in a world of acronyms that can numb the mind and confuse those you're trying to reach. Make sense of it all and help others decipher the alphabet soup at www.acronymfinder.com. The site boasts the ability to translate more than 4.2 million acronyms and abbreviations from fields that include: education, information technology, military, government, science, medicine, engineering, business, finance and more.

OSBA online

● www.osba-ohio.org

OSBA's legal blog features reports on notable legal cases, trends and vital points of interest to the school law community. Powered by OSBA's legal division attorneys, the Legal Ledger is your resource for updates and analysis on state school law issues. To subscribe, visit www.osba-ohio.org/legal.htm and click on the “Subscribe” button on the left side of the page.



Briefcase

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OSBA leads the way to educational excellence by serving Ohio's public school board members and the diverse districts they represent through superior service and creative solutions.



BULLETIN BOARD

compiled by Melanie Price, secretary of communication and information services

OSBA executive searches

Superintendent

District	Deadline	Contact
① Buckeye Valley Local (Delaware)	March 1	OSBA Search Services, (614) 540-4000

Treasurer

① Highland Local (Medina)	Feb. 9	OSBA Search Services, (614) 540-4000
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Other positions

Treasurer	Circleville City	Jan. 29	Ellen Mangione , executive secretary, Circleville City, (740) 477-5543
Director of curriculum and instruction	North Royalton City	Jan. 29	Greg Gurka , director of personnel, North Royalton City, www.northroyaltonsd.org

Board changes

Marietta City Board of Education member **Jack Moberg** resigned effective Jan. 4 due to personal and business demands.

●●● **Tallmadge City** Board of Education member **Amy Goodson-Beal** resigned effective Dec. 12 due to moving out of the district.

Administrative changes

Superintendents

Butler Technology and Career Development Schools Superintendent Dr. **Robert Sommers** announced his retirement. He will be relocating March 1 for an out-of-state position. He previously was expected to retire in June. ●●● **Keystone Local (Lorain)** Superintendent Dr. **Gary Friedt** announced his retirement effective June 30. ●●● **Lake County ESC** appointed Interim Superintendent **Brian Bontempo** as superintendent effective immediately. He replaces Dr. **Linda Williams**, who retired Oct. 31. ●●● **Loveland City** hired **Bill Sears** as interim superintendent effective Jan. 1. He replaced **Kevin Boys**, who resigned to take the president's position at Southern State Community College. Sears previously was the director of curriculum and instruction at **Little Miami Local (Warren)**. ●●● **Mansfield City** Superintendent Dr. **Lloyd D. Martin** announced his resignation effective Jan. 5. ●●● **Marietta City** Superintendent **Herbert A. Young** announced his retirement.

Editor's note

Job postings must be received six weeks before the application deadline to ensure timely publication.
Thank you for your cooperation.

effective June 30. ●●● **Symmes Valley Local (Lawrence)** hired **Jeff Saunders** as superintendent effective Dec. 22. He replaced **Thomas Ben**, who retired. Saunders was the district's high school principal.

Treasurers

Austintown Local (Mahoning) Treasurer **Barbara Kliner** announced her retirement effective Jan. 1. The district hired **Mary Ann Herschel** as treasurer effective immediately. ●●● **Perry Local (Stark)** hired **Sheryl Shaw Stewart** as treasurer effective Feb. 1. She replaces **Beth Winkhart**, who is retiring later this month. Stewart currently is the treasurer at **Tuslaw Local (Stark)**. ●●● **Springfield Local (Summit)** Treasurer **Donald Gambal** announced his resignation effective Jan. 1. Gambal has accepted a position at **Warrensville Heights City**. ●●● **Sylvania City** hired **Laura K. Sauber** as treasurer effective Jan. 18. She replaced **Carol McElfresh**, who retired Dec. 31. Sauber was treasurer at **Edon-Northwest Local (Williams)**.

Sympathies

Former **Elyria City** Superintendent **William Halverson** died Dec. 29. He was 77. ●●● Former **Oakwood City** Board of Education member **Robert Beck** died Dec. 30. He was 85. ●●● Former **Tiffin City** Board of Education member **Robert L. Joyce** died Dec. 30. He was 74.

Correction

A listing in the "Administrative Changes" section on page 4 of the Dec. 21 issue should have said that **Fostoria City** hired **Richard Heintschel** as interim superintendent effective Nov. 13 and **Craig Cotner** as interim assistant superintendent effective Nov. 16. The original listing stated Cotner was hired as interim superintendent, replacing Heintschel. The *Briefcase* apologizes for the error.



FUNDING OPPORTUNITIES

by Angela Penquite, communications specialist

Heinz creativity contest

The H.J. Heinz Co. is sponsoring a contest for young artists, in which winners' designs will be on the 2010 Heinz ketchup packets.

Maximum award: \$5,700 in cash and prizes

Eligibility: students in grades one through 12

Deadline: Feb. 26

Contact: www.ketchupcreativity.com

Inspiring environmental advocacy

The Action For Nature International Young Eco-Hero awards recognize the individual

accomplishments of young people whose personal actions have significantly improved the environment.

Maximum award: \$500

Eligibility: youth ages 8-16

Deadline: Feb. 28

Contact: www.actionfornature.org/eco-hero/ecoheroawards.html

Scholarships for student-athletes

Twenty-five student-athletes will win the Scholar Athlete Milk Mustache of the Year award, which includes a scholarship and a spot in a Milk Mustache ad to run

in *USA TODAY*.

Maximum award: \$7,500

Eligibility: full-time high school seniors who participate in a high school sport or club sport during the 2009-10 school year

Deadline: March 5

Contact: www.bodybymilk.com/sammy_scholarship.php

Recognizing excellence in history teaching

The American Historical Association Beveridge Family Teaching Prize recognizes excellence and innovation in

Continued on page 11



LEGAL BRIEFS

by Sara Clark, deputy director of legal services

Supplement to *Ohio Sunshine Law Manual* now available

The attorney general's office recently issued a supplement to the *Ohio Sunshine Laws Manual* that includes legal updates that have surfaced during the last year. A copy of the supplement is available online at <http://links.osba-ohio.org/95127/>.

The following updates are among those included in the supplement:

- Records kept by a private alumni association are not subject to a public records request to the public school system — *State ex rel. Rittner v. Foley*, 2009-Ohio-520 (6th Appellate District).
- Individual board member evaluations, used by the board president to prepare a composite evaluation but not kept thereafter, are not public records — *State ex rel. Johnson v. Oberlin City School Dist. Bd. of Educ.*, 9th App. Dist., 2009-Ohio-3526 (9th Appellate District).
- There is no duty to provide records that later come into existence, so long as the public office transmits the public records that existed at the time of the public records request — *Starks v. Wheeling Twp. Tr.*, 2009-Ohio-4827 (5th Appellate District).
- Public school's semester examination met the statutory definition of "trade secret" and was exempt from the Public Records Act — *State ex rel. Perrea v. Cincinnati Public Schools*, 2009-Ohio-4762 (Ohio Supreme Court).

- Public university's internal report of investigation of plagiarism was not excepted from disclosure under the Public Records Act — *Mehta v. Ohio Univ.*, 2009-Ohio-4699 (Ohio Court of Claims).

- Release of any version of the Ohio Graduation Test is prohibited — House Bill (HB) 1 amended Revised Code Section (RC) 3301.0711(N).

- Regional student education districts are considered public offices, their records are public records and their boards of directors are public bodies subject to Ohio's open meetings laws — HB 1 enacted RC 3313.83.

- During a declared emergency, a public body may meet at an alternative location, but is still required to meet in person and is not permitted to meet by teleconference — 2009 Attorney General Opinion Number 034 (2009 Op. Att'y Gen. No. 034).

The attorney general's office has also issued an updated model public records policy, which is available online at <http://links.osba-ohio.org/52630/>. OSBA does not recommend adopting this model policy as it currently exists because it continues to impose stricter requirements than what is required by law. OSBA's Policy Department has sample model policy KBA, available upon request.

As a reminder, all elected officials or their appropriate designees are required to attend a three-hour public records training approved by the attorney general. The law allows for the board to designate one person to attend on behalf of the entire board. Because the terms of board members are staggered, the board will need to designate a designee every two years to meet the requirement of attending once per term for each board member.



Are you involved in litigation that may have issues of statewide significance?

The OSBA Legal Assistance Fund (LAF) is available to provide financial or legal assistance in matters of statewide importance to local school districts. LAF offers direct financial assistance or other support in the form of *amicus curiae* briefs.

Call Susan Czeh, OSBA secretary of legal services, at (614) 540-4000 or (800) 589-OSBA to join LAF or to obtain an application if you have a pending matter that may meet the above description.



REGIONAL ROUNDUP

by Angela Penquite, communications specialist

An early sign of spring: registration opens for region conferences

The calendar and the weather might say it's still winter, but the OSBA spring region conferences are just around the corner. Registration has begun, with region secretaries accepting reservations for these well-attended events and putting the finishing touches on their programs.

The five OSBA regions host conferences in the spring and fall. These highly popular meetings bring together board members, administrators and guests for dinner, keynote speakers, networking, recognitions and outstanding student entertainment. The spring conferences feature the presentation of the OSBA Award of

Achievement and Master Board Member honors.

School board members can earn five credits toward the OSBA Award of Achievement for attending a regional conference. For more information on the Award of Achievement program, visit www.osba-ohio.org/aa.htm or contact OSBA. In addition, Ohio Revised Code Section 3315.15 authorizes the establishment of a service fund for board members. Such funds can be used for expenses incurred for meetings such as this.

OSBA President **John Pennycuff**, **Winton Woods City**, and OSBA Executive Director **Richard Lewis**

will travel to all of the meetings to greet attendees and provide association updates. Region officers and other OSBA staff members also will deliver updates and presentations.

Registration forms for the Central, Northwest, Southeast and Southwest region events were published in the Jan. 11 issue of the OSBA *Briefcase*. Information on the Northeast Region conference is in this *Briefcase*. The same information also is available on the OSBA Web site at www.osba-ohio.org/regions.htm.

Following are brief previews of the 2010 spring region conferences,
Continued on page 7

Searching for the right superintendent, treasurer or building administrator has never been so easy!



The search was very professionally done. The consultant met with the board as requested and spent many hours with the community in focus groups. OSBA's search services met all of our expectations in a timely manner at a reasonable cost.

— Mechanicsburg EV

For more information on Ohio's best administrative search team, call Rob Delane, Kathy LaSota, Al Meloy, Kendall A. Lee or Cheryl W. Ryan at (614) 540-4000 or (800) 589-OSBA.





2010 Student Achievement Fair

OSBA Capital Conference

Nov. 9, 2010

OSBA invites your school district to:

- *Showcase an outstanding performing group!*
- *Showcase the exemplary programs that are improving student achievement in your district!*
- *Show us your best programs and tell us about your best practices!*

The OSBA Capital Conference Student Achievement Fair highlights outstanding initiatives from school districts across the state. OSBA is seeking another round of fresh, innovative programs or practices your district is willing to share with thousands of Ohio school district representatives. Programs and practices will be selected based on creativity and impact on student achievement. While multiple programs may be submitted for consideration, no more than two per district will be selected, so districts should prioritize their submissions.

Performing groups also will be selected to entertain attendees during the Student Achievement Fair. To be considered, submit an audio or video recording of the performing group.

Student Achievement Fair application

Tuesday, Nov. 9, 2010 11:30 a.m. – 3:30 p.m.

____ Enclosed is a concise title and description of our **student achievement program** in 25 words or less, including what we think others will learn from our booth. (You may submit additional material that describes your program.)

Will you need electricity? Yes No

____ Enclosed is a title and description of the **performing group** that we would like to showcase at the Student Achievement Fair. (Include an audio or video recording of the performing group.)

Title of program or performing group: _____

Description: _____

Submitted by: _____ Title: _____

(Please inform the contact person as to your submission.)

Daytime phone: () _____ E-mail: _____

(Please print)

Contact person: _____ Title: _____

Daytime phone: () _____ E-mail: _____

(Please print)

Superintendent: _____ E-mail: _____

(Please print)

School district: _____ Address: _____

City: _____ Ohio ZIP: _____

If selected, your district's program will be showcased in a 10x10-foot booth that can accommodate up to five people. (More details to follow). Applications may be submitted online at cc.osba-ohio.org, or mail **student achievement program** applications to **Kathy LaSota**, deputy director of search services and board development, OSBA, 8050 N. High St., Suite 100, Columbus, OH 43235. Mail your completed **performing group** application, with recording, to **Al Meloy**, deputy director of search services and board development, at the above address. Visit www.osba-ohio.org/sa.htm for specific details regarding the Student Achievement Fair. **Application deadline is Friday, April 23, 2010.**

Lead your district in achieving its mission



attend the Board Presidents' Workshop

Saturday, Jan. 30 ● OSBA office, Columbus, and Findlay Inn & Conference Center, Findlay
Saturday, Feb. 6 ● Roberts Conference Centre, Wilmington, and NEOUCOM, Rootstown
Registration begins at 8:15 a.m. The program is from 9 a.m. to 3 p.m.

School board presidents serve critical leadership roles in their school districts. The president is the visible leader of the board and responsible for the efficient and legal operation of board business.

Unfortunately, too many board presidents attempt to accomplish the duties of president by going it alone, feeling that on-the-job training is all that is needed to fulfill this leadership responsibility. It is to your advantage and a benefit to your school district to be well-informed and skillful enough to perform your leadership duties effectively. Bring your questions about your leadership role to this workshop.

Agenda includes:

Board development

- ◆ Role of the school board president
- ◆ Indicators of an effective board
- ◆ A board president's checklist
- ◆ Effective board operating principles
- ◆ Open Q&A session

Legal issues

- ◆ Open meetings and open records
- ◆ Presiding and using parliamentary procedure at meetings
- ◆ New reporting requirements
- ◆ Open Q&A session

Management services

- ◆ Best practices in health care pooling
- ◆ Key employee issues
- ◆ Administrative hearings
- ◆ Arbitrations/SERB
- ◆ Contract administration
- ◆ Open Q&A session

The workshop will be presented by OSBA staff. Tuition is \$130 and covers registration, materials, lunch and refreshments.

To register, call (614) 540-4000 or (800) 589-OSBA. Visit www.osba-ohio.org/training.htm to see agendas for and directions to each location.

Special Education Law Workshop

Friday, March 5
9 a.m. to 3 p.m.

Doubletree Hotel
Columbus/
Worthington

Cost is \$120

8:30 a.m. Registration and continental breakfast

9 a.m. Special education case law update
Get up to speed on the latest case law developments in this frequently litigated area and get tips for compliance.
Susan S. McGown, Esq., McGown, Markling & Whalen Co. LPA, Akron

9:45 a.m. Ohio Department of Education update
Discussion regarding new initiatives, compliance issues and special education weighted funding, as well as a look at what is coming down the pike. Time for Q&A included.
Sharon Jennings, assistant attorney general, and Ann Guinan, assistant director, Office of Exceptional Children, Ohio Department of Education

10:45 a.m. Break

11 a.m. Section 504 refresher course
Immerse yourself in the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, including Americans with Disabilities Act amendments and

other practical suggestions from the author of OSBA's *Special Education Law in Ohio* book.
Susan E. Geary, Esq., Bricker & Eckler LLP, Columbus

11:45 a.m. Lunch (provided)

12:45 p.m. Special education discipline issues
Suspension, expulsion, exclusion from the bus, change of placement and procedural issues unique to special education will be discussed. Time for Q&A included.
William M. Deters, II, Esq., Ennis Roberts Fischer Co. LPA, Cincinnati

1:45 p.m. Break

2 p.m. New forms and substance: model policies and more
Explore best practices under the model policies and procedures and the annotated forms.
Kathryn I. Perrico, Esq., Britton, Smith, Peters & Kalail Co. LPA, Cleveland

3 p.m. Adjourn

The Doubletree Hotel Columbus/Worthington is located at 175 Hutchinson Ave. in north Columbus. Take I-270 to exit 23/US 23 north toward Delaware. At the first traffic light, turn right onto East Campus View Boulevard. Turn right at the next light onto High Cross Boulevard. When High Cross ends you will be facing the Doubletree Hotel Columbus/Worthington.

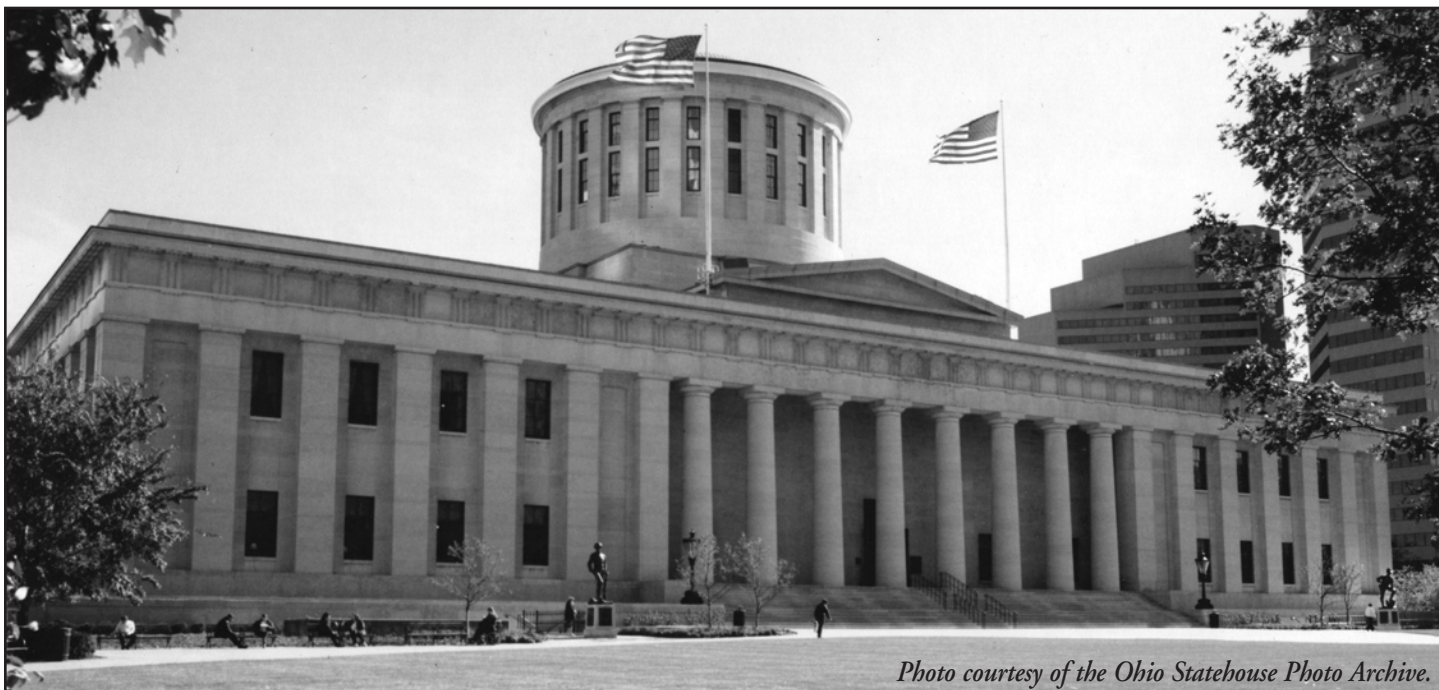


Photo courtesy of the Ohio Statehouse Photo Archive.

State Legislative Conference

Wednesday, March 10 Hyatt on Capital Square, 75 E. State St., Columbus
9 a.m.-1 p.m. Cost is \$95

Public education was a headliner at the Statehouse during a challenging year in 2009. As we head into the second half of the 128th General Assembly, what can we expect for schools? How will the economy impact funding? What's in store as we implement the new school-reform model? Will the 2010 elections change everything? School officials need to be involved and have their voices heard by attending the annual State Legislative Conference.

The State Legislative Conference provides school board members, administrators and treasurers the opportunity to meet with their state legislators and discuss issues impacting public education.

The conference features a full slate of speakers, including legislative leaders, followed by a luncheon with state legislators and their aides. Attendees who have scheduled appointments will meet individually with their representative during the afternoon. The cost for the conference and luncheon is just \$95.

During the morning, top speakers will address vital public education issues that affect every school district in the state, with a particular focus on the future of education in Ohio. Legislative experts will provide updates on the issues. They also will share talking points on key concerns, which attendees can use in discussions with their legislators during the luncheon and in future conversations. That is followed by a legislative update and charge from the OSBA legislative team to talk to your legislators during lunch. Don't miss this annual opportunity to have your voice heard at the Statehouse!

Directions and parking

From I-71 northbound/I-70 eastbound — Take I-71 to I-70 east. Exit I-70 on Front Street going north. Proceed north on Front Street to Main Street. Turn right on Main Street. The City Center Garage is two blocks east on the left. Walk north on Third Street to the Hyatt on Capitol Square at State Street.

From I-71 southbound only — Proceed south on I-71 to 670 west toward downtown. Take the Third Street exit. Follow Third Street approximately seven traffic lights to State

Street. Additional parking can be found if you proceed south on Third Street to Rich Street and turn right on Rich Street. The City Center Garage will be on your left. Walk north on Third Street to the Hyatt on Capitol Square at State Street.

From I-70 westbound — Proceed west on I-70 to the Fourth Street exit. Exit on Fourth Street going north. Turn left on Rich Street. The City Center Garage will be on your left. Walk north on Third Street to the Hyatt on Capitol Square at State Street.

Log onto <http://links.osba-ohio.org/hyatt/capitol/> for additional directions and a map.

Don't miss the
**Board Leadership
Institute**
Organizational leadership for tomorrow's schools



**NEW
date!**

**NEW
location!**



Ohio School Boards Association

April 23-24, 2010 • Hilton Columbus/Polaris, north Columbus

Good decisions require informed decision-makers

Learning what it takes to be an effective school board member has been estimated to take at least two years of board service. The challenge is not only for new board members, it's ongoing.

Whether you're in your first term or your 10th, the ever-changing world of public education governance is one in which continuing education and professional development are critical. So, where does a board member go for that ongoing training? Answer — OSBA's Board Leadership Institute!

As a member of your school district's governing body, you are called on at every meeting to make important decisions. Some decisions are easy; others complicated. That's why board member development is so important.

At BLI, board members can ...

- *Participate in a program designed exclusively for and by board members*
- *Experience a comprehensive two-day training event*
- *Receive all of the handouts from this board member-only event*
- *Hear nationally acclaimed speakers*
- *Choose from 24 different breakout sessions*
- *Network with other board members*
- *Strengthen board governance skills*
- *Earn 20 Award of Achievement points*

New location means more options for attendees



The 2010 Board Leadership Institute will be held at the Hilton Columbus/Polaris. The Hilton is in north Columbus, near the Polaris Fashion Place mall. This location is easily accessible for attendees, offers free parking and is close to many dining opportunities. Also, OSBA secured a reduced hotel rate for BLI attendees: just \$119 per night, if the room is booked by

March 30. To reserve your

room, contact the Hilton Columbus/Polaris at (614) 885-1600 and mention you are with OSBA.

Learning doesn't stop when you're elected, it begins!

Almost all board members agree that they could use more training in tackling school district problems. When asked how, board members say they want training that is highly task-oriented, takes a short period of time, is done in small groups and is led by outstanding instructors.

To meet these requests, OSBA is working with board members from across the state to develop the annual Board Leadership Institute. The two-day workshop, planned for April 23-24, is designed specifically for board members and will focus on numerous topics. Participants will have the

opportunity to attend the opening general session, multiple breakout sessions and closing luncheon, as well as network with each other.

Twenty points will be awarded for attending the institute, which may be applied toward receiving OSBA's Award of Achievement and Master Board Member Award.



Reflections from 2009 attendees

"The information was current and uplifting. It makes me want to return to my district to share the information with others."

"The presenter was enthusiastic, knew his subject and kept my interest. I could have listened to him for another hour."

"Every year I receive information that is valuable in my role as a board member."

"The opening general session speaker was outstanding. He motivated me while providing information to help with student achievement."

"It was my first time at the event, and it was well worth my time and money. Great information, motivation and networking."

For registration information, contact Laurie Miller. For all other questions, please contact Rob Delane. You can reach Miller and Delane at (614) 540-4000 or (800) 589-OSBA, or visit OSBA's Web site at www.osba-ohio.org.

Districts represented at the 2009 BLI

Alliance City
 Arcadia Local (Hancock)
 Ashtabula Area City
 Ashtabula County ESC
 Ashtabula County JVSD
 Athens City
 Batavia Local (Clermont)
 Berea City
 Bradford EV
 Brooklyn City
 Buckeye Local (Medina)
 Bucyrus City
 Butler Technology and Career Development Schools
 Cambridge City
 Canfield Local (Mahoning)
 Carlisle Local (Warren)
 Cedar Cliff Local (Greene)
 Celina City
 Champion Local (Trumbull)
 Clark-Shawnee Local (Clark)
 Copley-Fairlawn City
 Crestline EV
 Cuyahoga County ESC
 Cuyahoga Heights Local (Cuyahoga)
 Cuyahoga Valley Career Center
 Dayton City
 East Central Ohio ESC
 East Cleveland City
 East Muskingum Local (Muskingum)
 Eastern Local (Meigs)
 EHOVE Career Center
 Elyria City
 Fairbanks Local (Union)
 Field Local (Portage)
 Findlay City
 Forest Hills Local (Hamilton)
 Fort Frye Local (Washington)
 Franklin City
 Fremont City
 Frontier Local (Washington)
 Goshen Local (Clermont)
 Great Oaks ITCD
 Greene County Career Center
 Greenfield EV
 Greenon Local (Clark)
 Greenville City
 Hamilton County ESC
 Hamilton Local (Franklin)
 Hicksville EV
 Hillsboro City
 Huber Heights City
 Ironton City
 Kelleys Island Local (Erie)
 Kenston Local (Geauga)
 Kettering City
 Keystone Local (Lorain)
 Lakeview Local (Trumbull)
 Lakewood City
 Lancaster City
 Lawrence County JVSD
 Logan-Hocking Local (Hocking)
 Lorain County JVSD
 Mad River Local (Montgomery)
 Madison Local (Butler)
 Madison-Plains Local (Madison)

Mahoning County Career & Technical Center
 Mahoning County ESC
 Maplewood Career Center
 Manchester Local (Adams)
 Margaretta Local (Erie)
 Marlinton Local (Stark)
 Marysville EV
 Mason City
 Mentor EV
 Miami Trace Local (Fayette)
 Miami Valley Career Technology Center
 Mid-East Career and Technology Centers
 Mid-Ohio ESC
 Midview Local (Lorain)
 Milton-Union EV
 Monroe Local (Butler)
 Mount Healthy City
 Muskingum Valley ESC
 National Trail Local (Preble)
 Nelsonville-York City
 New Miami Local (Butler)
 Noble Local (Noble)
 North Baltimore Local (Wood)
 North Central Ohio ESC
 North College Hill City
 North Point ESC
 North Ridgeville City
 North Royalton City
 North Union Local (Union)
 Northeastern Local (Clark)
 Northridge Local (Montgomery)
 Northwest Local (Hamilton)
 Northwestern Local (Clark)
 Norton City
 Ohio Hi-Point Career Center
 Perry-Hocking ESC
 Pike County Career Technology Center
 Pioneer Career & Technology Center
 Port Clinton City
 Preble County ESC
 Preble-Shawnee Local (Preble)
 Princeton City
 Pymatuning Valley Local (Ashtabula)
 Ravenna City
 Reading Community City

Richmond Heights Local (Cuyahoga)
 Ridgewood Local (Coshocton)
 Rittman EV
 Riverside Local (Lake)
 Riverside Local (Logan)
 Rock Hill Local (Lawrence)
 Rootstown Local (Portage)
 Ross Local (Butler)
 Sheffield-Sheffield Lake City
 South Range Local (Mahoning)
 South-Western City
 Southeast Local (Portage)
 Southwest Local (Hamilton)
 Springfield Local (Lucas)
 Springfield Local (Mahoning)
 Springfield-Clark Career Technology Center
 St. Bernard-Elmwood Place City
 Steubenville City
 Strasburg-Franklin Local (Tuscarawas)
 Streetsboro City
 Swanton Local (Fulton)
 Tolles Career & Technical Center
 Tri-County Career Center
 Tri-County ESC
 Tri-Rivers Career Center
 Triway Local (Wayne)
 Trumbull Career & Technical Center
 Upper Valley JVSD
 Urbana City
 Valley Local (Scioto)
 Van Wert City
 Vanguard-Sentinel Career Centers
 Warren City
 Warren Local (Washington)
 Warrensville Heights City
 Washington-Nile Local (Scioto)
 Waverly City
 Wayne County Schools Career Center
 Wellington EV
 Wellsville Local (Columbiana)
 Wooster City
 Worthington City
 Xenia Community City
 Youngstown City

2010 BLI agenda

Friday, April 23

8 a.m. Registration/breakfast
 9 a.m. Opening general session
 10:45 a.m. Breakout sessions
 Noon Luncheon
 1:30 p.m. Breakout sessions
 3 p.m. Breakout sessions
 4:30 p.m. Reception and networking

Saturday, April 24

7:30 a.m. Breakfast
 8:15 a.m. Breakout sessions
 9:45 a.m. Breakout sessions
 11:15 a.m. Breakout sessions
 12:30 p.m. Luncheon with speaker/closing ceremonies

Northeast Region Spring Conference

Wednesday, March 24

Trumbull Career & Technical Center, 528 Educational Highway, Warren, 44483
Phone: (330) 847-0503, ext. 1052

Program

6 p.m. Registration and socializing
6:30 p.m. Dinner
7:30 p.m. Program

Welcome and introductions

Roger L. Samuelson, Northeast Region president; board member, Champion Local (Trumbull) and Trumbull Career & Technical Center

Greetings and update from OSBA Entertainment

Champion Local High School Jazz Band

Keynote address

Deborah Cain, president, State Board of Education

Presentation of Ohio Teacher of the Year nominees

Roger L. Samuelson

Presentation of Awards of Achievement

Veteran board member recognition for years of service

● Honoring those with 10, 15 and 20 years of service as board of education members (25-year veterans are recognized by OSBA at the Capital Conference)

Directions

From the north (Ashtabula area) — Take SR-11 to the SR-305 exit toward Hartford/Champion. Turn right onto Wilson Sharpsville Road/SR-305. Turn left onto SR-5/Elm Road. Merge onto SR-5 west/SR-82 west toward Akron. Take the SR-45/Mahoning Ave. exit toward Ashtabula. Turn right onto SR-45/Mahoning Ave. NW. Turn right onto Educational Hwy. NW/CR-1321.

From the north/northwest (Cleveland) — Take I-480 south toward Youngstown or I-77 south toward Akron. Merge onto I-80/Ohio Turnpike east toward Youngstown. Take exit 209 for SR-5 east. Take the SR-5 east exit toward Warren. Take the SR-45/Mahoning Ave. exit toward Ashtabula. Turn left onto Mahoning Ave. NW/SR-45. Turn right onto Educational Hwy. NW/CR-1321.

From the south — Take SR-11 north. Merge onto SR-82 west toward Warren. Take the SR-45/Mahoning Ave. exit toward

Ashtabula. Turn right onto SR-45/Mahoning Ave. NW. Turn right onto Educational Hwy. NW/CR-1321.

From the west — Take I-76 east at Akron. Take exit 38B for SR 44 north/SR 5 north/Ravenna. Merge onto SR 44 north SR-5 east/Ravenna Louisville Road. Take SR 5 bypass via the ramp to Warren/Chardon and continue on SR 5 to Warren. Take the SR-45/Mahoning Ave. exit toward Ashtabula. Turn left onto SR-45/Mahoning Ave. NW. Turn right onto Educational Hwy. NW/CR-1321.

Award of Achievement

This conference entitles board members to five Award of Achievement credits.

Authority for reimbursement

Ohio Revised Code Section 3315.15 authorizes the establishment of a service fund for board members. Such funds can be used for expenses incurred for meetings such as this.

Registration

Registration and dinner fee is \$30 each for OSBA members, guests and spouses. Reservations can be faxed to (330) 296-5680 or (234) 678-0122. Enclosed is a check for \$ _____ and/or P.O. # _____ to cover _____ registrations for the Northeast Region Annual Spring Conference. Please make checks payable to **OSBA Northeast Region and send reservations to Russell B. McKenzie, Northeast Region secretary, 741 Thorndale Drive, Akron, OH 44320.** Phone is (330) 296-2892, ext. 551003, for reservations. Deadline for registration is Friday, March 19. Please include payment with reservation. Registrants who cancel at least three workdays before the day of the meeting may request a full refund. All others will be charged the full registration fee.

District/county _____

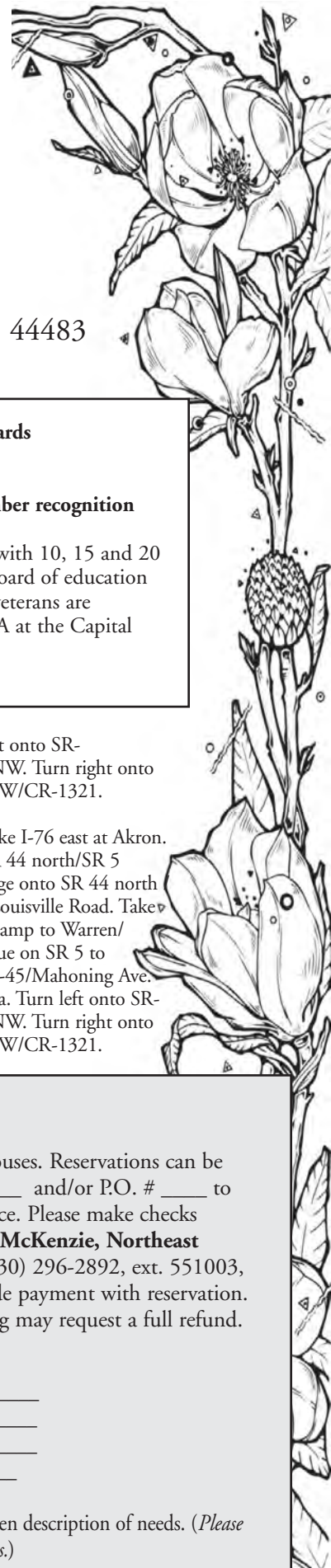
Name, title _____

Name, title _____

Name, title _____



_____ Check here if you require special accommodations. Attach a written description of needs. (Please photocopy this form for additional registrations.)



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Phone and voice mail extensions are listed for each staff member

Accidental death and dismemberment insurance for

board members: Janice Smith (201), Lisa DeFourny (203)

Address changes: Ann Herritt (111)

Administrative salary analysis: Van Keating (241), Bill Wilcox (242)

All-Ohio School Board: Jeff Chambers (271), Melanie Price (270)

Arbitration referral service: Van Keating (241), Renee Fambro (243)

Audit Committee: Janice Smith (201), Lisa DeFourny (203)

Auditing: Van Keating (241), Bill Wilcox (242)

Award of Achievement: Al Meloy (275), Judy Morgan (280)

Board candidates: Rob Delane (273), Al Meloy (275), Kathy LaSota (276), Kendall Lee (274), Cheryl Ryan (289), Richard Lewis (211)

Board in-service programs, customized workshops: Al Meloy (275), Rob Delane (273), Kathy LaSota (276), Kendall Lee (274), Cheryl Ryan (289), Judy Morgan (280)

Board Leadership Institute: Rob Delane (273), Judy Morgan (280), Jeff Chambers (271), Laurie Miller (284)

Board presidents: Al Meloy (275), Rob Delane (273), Kathy LaSota (276), Kendall Lee (274), Cheryl Ryan (289), Richard Lewis (211)

Board/superintendent relations: Rob Delane (273), Al Meloy (275), Kathy LaSota (276), Kendall Lee (274), Cheryl Ryan (289), Richard Lewis (211)

Board/treasurer relations: Rob Delane (273), Al Meloy (275), Kathy LaSota (276), Kendall Lee (274), Cheryl Ryan (289), Richard Lewis (211)

Bonds, treasurer and position: Sue Kazanjian (202), Lisa DeFourny (203), Janice Smith (201)

Briefcase: Gary Motz (278), Angela Penquite (277), Melanie Price (270), Scott Ebright (272)

Business Meeting: Damon Asbury (231), Marcella Gonzalez (230)

Capital Conference housing: Laurie Miller (284)

Capital Conference program: Rob Delane (273), Judy Morgan (280)

Capital Conference registration: Ann Herritt (111)

Capital Conference Trade Show: Robin Charles (282), Melanie Price (270), Jeff Chambers (271)

CLE credits: Susan Czeh (220)



CommunicationPlus: Melanie Price (270), Angela Penquite (277), Scott Ebright (272)

Communication training: Scott Ebright (272), Gary Motz (278), Angela Penquite (277)

Council of Urban Board Solicitors: Susan Czeh (220), Hollie Reedy (221), Sara Clark (222), Jessica Spears (223)

Early Retirement Incentive Program: Van Keating (241), Renee Fambro (243), Bill Wilcox (242)

Education Tax Policy Institute: Jennifer Economus (232), Michelle Francis (233), Marcella Gonzalez (230), Richard Lewis (211)

Electricity purchasing co-op: Amanda Levy (285)

Enrollment projections: Van Keating (241)

Executive searches: (Superintendent, treasurer, business manager, principal): Rob Delane (273), Al Meloy (275), Kathy LaSota (276), Kendall Lee (274), Cheryl Ryan (289), Debby Hoopes (281), Judy Morgan (280)

Facts in a Flash: Jennifer Economus (232)

Federal Relations Network: Marcella Gonzalez (230), Jennifer Economus (232)

Grant-writing service: Kathy LaSota (276), Cheryl Ryan (289)

Human resources consultation for school boards: Donna Williams (245)

Impasse: Van Keating (241), Renee Fambro (243)

Insurance Trust: Janice Smith (201), Lisa DeFourny (203)

Internet Update: Drew Clark (279), Jeff Chambers (271)

Invoices: Sue Kazanjian (202), Lisa DeFourny (203)

Job description CD service: Linda Photos (240), Donna Williams (245), Van Keating (241)

Journal: Scott Ebright (272), Gary Motz (278), Angela Penquite (277)

Journal advertising: Amanda Levy (285), Scott Ebright (272), Angela Penquite (277)

Kids PAC: Jennifer Economus (232), Marcella Gonzalez (230)

Labor relations: Van Keating (241), Renee Fambro (243)

Legal Assistance Fund: Hollie Reedy (221), Susan Czeh (220), Sara Clark (222), Jessica Spears (223), Richard Lewis (211)

Legal information: Hollie Reedy (221), Sara Clark (222), Jessica Spears (223)

Legislation: Damon Asbury (231), Jennifer Economus (232), Marcella Gonzalez (230), Michelle Francis (233)

Legislative Report: Michelle Francis (233)

Liability insurance/Ohio School Plan: Richard Lewis (211), Amanda Levy (285)

Long-range planning for schools: Kathy LaSota (276), Kendall Lee (274), Cheryl Ryan (289), Amanda Levy (285)

Mailings: Ann Herritt (111)

Management development in-service: Greta Gardner (244), Van Keating (241), Renee Fambro (243)

Media relations: Scott Ebright (272), Gary Motz (278), Angela Penquite (277)

Membership: Ann Herritt (111)

New board member relations: Al Meloy (275), Kathy LaSota (276), Rob Delane (273), Kendall Lee (274), Cheryl Ryan (289)

No Child Left Behind: Rob Delane (273), Greta Gardner (244), Hollie Reedy (221), Van Keating (241), Scott Ebright (272), Kendall Lee (274)

NSBA convention: Debbie Beckman (210)

NSBA National Affiliate program: Amanda Levy (285)

NSBA relations: Richard Lewis (211), Debbie Beckman (210)

Ohio Council of School Board Attorneys: Hollie Reedy (221), Sara Clark (222), Jessica Spears (223), Susan Czech (220)

Ohio Policy Services: Greta Gardner (244), Donna Williams (245), Jeannette Radcliff (252)

Online payment program: Bill Wilcox (242), Amanda Levy (285)

OSBA Black Caucus: Kendall Lee (274), Hollie Reedy (221), Janice Smith (201)

OSBA dues: Jeff Chambers (271), Ann Herritt (111)

OSBA finances: Janice Smith (201), Lisa DeFourny (203), Richard Lewis (211)

OSBA general information & governance: Richard Lewis (211), Debbie Beckman (210)

OSBA strategic plan: Richard Lewis (211), Rob Delane (273), Janice Smith (201)

Paperless board meetings: Amanda Levy (285), Jeff Chambers (271)

Parliamentary procedure: Hollie Reedy (221), Sara Clark (222), Jessica Spears (223)

Plaque orders: Debbie Burda (113), Ann Herritt (111)

Policy updates: Greta Gardner (244), Donna Williams (245), Jeannette Radcliff (252)

Publication orders: Debbie Burda (113), Ann Herritt (111)

Regional activities: Richard Lewis (211), Jeff Chambers (271), Rob Delane (273), Melanie Price (270), Amanda Levy (285)

Research library: Robin Charles (282)

Safety training: Bill Wilcox (242)

Safety video library: Bill Wilcox (242)

Salary studies: Van Keating (241)

Sample policies: Greta Gardner (244), Donna Williams (245), Jeannette Radcliff (252)

School finance: Richard Lewis (211), Van Keating (241), Damon Asbury (231), Rob Delane (273)

School funding reform: Richard Lewis (211), Damon Asbury (231), Jennifer Economus (232), Michelle Francis (233), Scott Ebright (272)

School Management News: Renee Fambro (243), Linda Photos (240)

School safety program: Bill Wilcox (242), Van Keating (241)

Search candidate file confirmation: Debby Hoopes (281), Judy Morgan (280)

Small School District Advisory Committee: Debbie Beckman (210), Richard Lewis (211), Rob Delane (273)

State Employment Relations Board: Van Keating (241), Renee Fambro (243)

Student Achievement Fair: Kathy LaSota (276), Rob Delane (273), Debby Hoopes (281), Judy Morgan (280)

Student Achievement Leadership Team: Rob Delane (273), Scott Ebright (272), Richard Lewis (211), Debbie Beckman (210), Bill Wilcox (242), Jeff Chambers (271)

Thank-A-Boss program: Debbie Beckman (210)

The Link: Jennifer Economus (232), Marcella Gonzalez (230)

Urban Commission: Marcella Gonzalez (230), Michelle Francis (233), Kendall Lee (274)

VendorBook: Amanda Levy (285), Melanie Price (270)

VendorLink: Robin Charles (282), Amanda Levy (285)

Web site: Drew Clark (279), Jeff Chambers (271), Robin Charles (282), Angela Penquite (277), Marcella Gonzalez (230)

Workplace safety: Bill Wilcox (242)

Workers' comp program: Van Keating (241), Linda Photos (240), Bill Wilcox (242)

Workshop registration: Laurie Miller (284), Registration by voice mail (300)

To reach OSBA region secretaries:

Central Region Secretary Dr. Michael G. Grote, (614) 527-4915

Northeast Region Secretary Russell B. McKenzie, (330) 296-2892, ext. 551003

Northwest Region Secretary Dr. Judy Jackson May, (419) 372-7373

Southeast Region Secretary Paul D. Mock, (740) 385-5240

Southwest Region Secretary Ronald J. Diver, (937) 746-7641



WORKSHOP REGISTRATION

Board Presidents' Workshop

- ☐ Jan. 30, \$130, Columbus
- ☐ Jan. 30, \$130, Findlay
- ☐ Feb. 6, \$130, Rootstown
- ☐ Feb. 6, \$130, Wilmington

Special Education Law Workshop

- ☐ March 5, \$120

State Legislative Conference

- ☐ March 10, \$95

OSBA Workshop Registration Form

Workshop name _____ Workshop date _____
Attendee name _____ Title _____
Daytime phone _____ E-mail _____
District/firm _____ County _____

Enclosed is a check for \$ _____ or P.O.# _____ to cover _____ registration(s). Make checks payable to OSBA and mail to 8050 N. High St., Suite 100, Columbus, OH 43235-6481; fax to (614) 540-4100; or e-mail Laurie Miller at Lmiller@ohioschoolboards.org. Include a purchase order number with fax or e-mail.



_____ *Please check here if you require special accommodations. Contact us or attach a written description of needs.*

Please photocopy this form for each person

OSBA workshop registration procedures

OSBA sends e-mail confirmation of registration if an e-mail address is provided. Registration is open to all boards and staff of OSBA members. "Walk-in" registrations are welcome on a space-available basis only. Please call OSBA to check the status of registration before you arrive at the workshop. To register, you must have a purchase order number or a check payable to OSBA and a completed registration form. You may register with a purchase order number by phone, fax, e-mail or Web page 24 hours a day.

Award of Achievement/LPDC

Most workshops entitle members to Award of Achievement credits. Local Professional Development Committee certificates of attendance will be issued to all workshop attendees.



Mail



Phone
or fax



OSBA
8050 N. High St.,
Suite 100, Columbus, OH
43235-6481

OSBA Registration Hotline,
(614) 540-4000, ext. 300;
toll free (800) 589-OSBA,
ext. 300; or fax us at
(614) 540-4100.

E-mail registrations can be
sent to Laurie Miller at
Lmiller@ohioschoolboards.org.
Please include a purchase
order number.

You may register on our Web page at
www.osba-ohio.org. Select "Training."

Cancellation and refund policy

- Cancellations received by OSBA at least four workdays before the date of the workshop will receive a full refund or no charge to the district.
- Cancellations received less than four workdays before the date of the workshop will have one-third of the fee charged to the district.
- No-shows and cancellations the day of the workshop will be charged the full registration amount.

Regional Roundup, continued from page 6 — along with registration information.

Central Region

The Central Region will host its conference at 5 p.m. on Wednesday, March 17 at the Villa Milano in Columbus. Region President **Charlie Wilson, Worthington City**, will preside over the evening.

Dinner will be served at 6 p.m. Later in the evening, the region will recognize outstanding board members, teachers and school programs.

Registration is \$40 per person, or \$320 for a table seating eight. The registration deadline is Friday, March 12. For more information or questions, contact Dr. **Michael G. Grote**, region secretary, at (614) 527-4915 or mgrote@ohioschoolboards.org.

Northeast Region

The Northeast Region will meet on Wednesday, March 24 at the **Trumbull Career & Technical Center** in Warren. The evening begins at 6 p.m. with registration and socializing, followed by dinner at 6:30 p.m. Region President **Roger L. Samuelson, Champion Local (Trumbull)** and Trumbull Career & Technical Center, will preside.

State Board of Education President **Deborah Cain** is the evening's keynote speaker. Outstanding board members and teachers will be honored during the recognition portion of the program.

Registration is \$30 per person; the registration deadline is Friday, March 19. For additional information, contact Northeast Region Secretary **Russell B.**

McKenzie at (330) 296-2892, ext. 551003, or rmckenzie@ohioschoolboards.org.

Northwest Region

The Northwest Region gathers on Thursday, March 11 at the **Apollo Career Center** in Lima. Registration and socializing begin at 5:30 p.m., followed by dinner. Presiding will be Northwest Region President **Kenneth E. Ault, Wood County ESC**.

The region will recognize its past executive committee members, along with outstanding board members, administrators and teachers.

Registration is \$30 per person, or \$160 for a table of six. The deadline to register is Friday, March 5. For questions or more information, contact Dr. **Judy Jackson May**, region secretary, at (419) 372-7373 or jjacksonmay@ohioschoolboards.org.

Southeast Region

The Southeast Region always hosts two spring conferences. This year's events are on Tuesday, March 2 at **Gallipolis City's** Gallia Academy High School, and Thursday, March 4 at **Mid-East Career and Technology Centers'** Zanesville Campus. Region President **Sharon E. Manson, Waverly City and Pike County Career Technology Center**, will preside over the conferences.

Both sessions begin at 5:30 p.m. with a social period followed by dinner. The region will recognize its past executive committee members, outstanding board members and teachers, and OSBA Student Achievement Fair

participants.

Registration is \$35 per person; the registration deadline is Tuesday, Feb. 23. For more information, contact **Paul D. Mock**, region secretary, at (740) 385-5240 or pmock@ohioschoolboards.org.

Southwest Region

The Southwest Region will meet at the **Miami Valley Career Technology Center** near Clayton on Tuesday, March 16. The conference begins at 5:15 p.m. with a social period, with dinner following. Region President **Donna J. Myers, Northwestern Local (Clark)** and **Springfield-Clark Career Technology Center**, will preside.

Those to be recognized include the 2010 Southwest Region President's Award honoree and outstanding board members and teachers.

Registration is \$38 per person; the registration deadline is Tuesday, March 9. For further information, contact **Ron Diver**, region secretary, at (937) 746-7641 or rdiver@ohioschoolboards.org.

The region conferences are great places to meet new friends, get reacquainted with old colleagues and discover what's going on in other school districts in your area. They also are full of valuable information from around the state and region. Be sure to take advantage of these outstanding opportunities to pick up new ideas, get updated on OSBA activities and learn from your fellow board members.

We hope to see you there.



LEGAL BRIEFS

by Jessica L. Spears, staff attorney

Supreme Court cell phone search ruling could impact schools

A recent ruling by the Ohio Supreme Court may have a direct effect on searches of student cell phones in district disciplinary actions. OSBA encourages boards of education to review the decision and communicate it to district administrators.

This case has implications for school discipline related to searches of cell phones based on a violation of school rules. While this is a criminal case dealing with a warrantless search incident to a lawful arrest, and school officials are not subject to the same standards as law enforcement, it is clear that the court is sending a message that a higher standard applies to cell phone searches.

In a 4-3 ruling on Dec. 15, the Ohio Supreme Court ruled that a warrantless search of data within a cell phone seized incident to a

lawful arrest violates the Fourth Amendment of the United States Constitution when the search is unnecessary for the safety of law enforcement officers and there are no exigent circumstances (*State v. Smith*, Slip Opinion No. 2009-Ohio-6426).

The case stems from the 2007 arrest of **Antwaun Smith** in Beavercreek on drug-related offenses. During the arrest, police searched Smith and found a cell phone on his person. Police confiscated the cell phone and later, the phone's call records and phone numbers were searched. The police did not have either a warrant or Smith's consent to search the phone. The trial court permitted testimony about the call records and phone numbers. On appeal, the Greene County Court of Appeals affirmed. The Ohio Supreme Court accepted jurisdiction of Smith's discretionary

appeal to determine whether the Fourth Amendment prohibited the warrantless search of data within a cell phone when the cell phone is lawfully seized as part of an arrest.

The state argued that the court should rely on *United States v. Finley* (C.A.5, 2007), 477 F.3d 250, and concluded that the cell phone is akin to a "closed container" and is subject to search upon a lawful arrest. The court disagreed, holding that a cell phone is not a closed container for purposes of the Fourth Amendment. The court decided that it would not be helpful to create a rule that requires officers to determine whether a cell phone was a closed container or a computer, depending upon its capabilities during an arrest situation.

The Ohio Supreme Court concluded that because a cell phone is not a closed container, and because an individual has a privacy interest in the contents of a cell phone that goes beyond the privacy interest in an address book or pager, an officer may not conduct a search of its contents during a lawful arrest without first obtaining a warrant.

Should you have specific questions regarding the search of student cell phones and the applicability of this new case law, we recommend you contact your district's board counsel.

OSBA Contract Analysis Service

OSBA provides a cost-effective professional analysis of certified and classified collective bargaining agreements. These written reviews serve as a critique of current contract provisions, suggest potential pitfalls regarding legal compliance and provide recommendations as you go into your next round of bargaining.

Contact Van Keating, director of management services, at (614) 540-4000 or (800) 589-OSBA, for more information.





LEGISLATIVE REPORT

by Michelle Francis, legislative specialist

Overview of school nutrition and PE legislation

House Bill (HB) 373 and Senate Bill (SB) 210 are bipartisan bills that would establish nutritional standards for schools, measure students' body mass index (BMI) and make other changes pertaining to physical education. The bills are pending in both the House and Senate Health committees. Specifically, the legislation would:

- require schools to provide 30 minutes of physical activity for students each day;
- increase required physical education time for high school students from a half-unit to a full unit, and ensure that teachers are licensed in physical education;
- require schools to offer more nutritious food and beverages in vending machines and on a la carte menus;
- require body mass index screenings for students entering third, fifth and ninth grades, educate parents about the results and post aggregate results on district report cards;
- increase access to free breakfast for students who qualify.

The bills are being referred to as the "Healthy Choices, Healthy Children" legislation. They are being pushed by the Healthy Children Coalition, which includes the Ohio Business Roundtable,

Ohio Children's Hospital Association, Nationwide Children's Hospital and the Children's Hunger Alliance.

OSBA has reviewed the legislation and has some concerns

about how it will be funded, as well as how these additional physical activity and physical education requirements will fit into an already busy school day. We recently sent an e-mail to our members on the proposals and received some great feedback.

As a result of that response, we put together a list of changes we would like to see made to HB 373 and SB 210. This list has been shared with the Healthy Children Coalition, as well as the bills' sponsors. The list includes:

- Food and

nutrition components

- Clean up definition of a la carte to match federal guideline terminology.
- Allow other options for

Continued on page 10

Running a district is hard

Lighten your load with an updated policy manual

You need an up-to-date policy manual to run your district effectively. OSBA can help. Our policy specialists will assist in updating your manual, ensuring your district's policies are current and up-to-date with the Ohio Revised Code.

Call Greta Gardner, deputy director of policy services, at (614) 540-4000 or (800) 589-OSBA, to begin updating your manual today.

Legislative Report, continued from page 9

programs that help identify foods that are healthy for students, for example, the Alliance for a Healthier Generation program.

○ Align Ohio nutritional standards with new federal standards when they are adopted, with no exceptions.

● BMI requirements

○ Do not list BMI data on school district report cards.

○ Specifically exempt BMI data from being a public record.

○ School districts would report BMI data to the Ohio Department of Education

(ODE).

○ ODE would aggregate the data and report the information to the Healthy Choices for Healthy Children Council.

● Physical education/physical activity

○ Remove mandates from the bill: these provisions should not be implemented until a funding mechanism can be included.

○ School districts should continue to have flexibility in offering waivers for athletic participation in lieu of physical

education classes.

○ Students requesting a waiver would undergo some physical education training as part of their required orientation to the program.

○ A pilot program for the physical activity and physical education requirements included in the current version of the bills could be adopted as a voluntary pilot program for districts that want to participate; philanthropic donations could be used to fund the pilot.

● Health and wellness education

○ Missing from the current versions of HB 373 and SB 210 is a health and wellness education component, yet the development of healthy lifestyle habits is only likely to result from education and understanding of the implications of ignoring our own health and wellness.

○ School districts could be required to offer health and wellness education as part of their health curriculum; ODE would provide model curriculum.

● Council representation

○ Add a school board member representative to the Healthy Choices for Healthy Children Council.

For the latest legislative updates, please contact the OSBA legislative division at (800) 589-OSBA.

Editor's Note: All information in this article was current as of Jan. 14, 2010.



BoardDocs Lesson 101: How to Succeed

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PUBLIC SCHOOLS WORK!

by John Wasylo, Brunswick City School District community relations director

Brunswick students meet with education secretary via satellite link

Fifteen **Brunswick City Schools** students, all members of the Brunswick Video Program, took part via satellite in a live national town hall meeting hosted by U.S. Secretary of Education **Arne Duncan** last month.

The meeting, part of a special edition of the "Education News Parents Can Use" TV show, gave students around the U.S. a chance to discuss with Duncan what works in America's schools and

what needs improvement. Students from Brunswick and northern Virginia were featured as part of a studio audience. Brunswick participated from the WVIZ/PBS ideastream studios in Cleveland.

Following up on President **Barack Obama's** talk to America's students last year, Duncan explored how the nation's young people are responding to the president's challenge to take responsibility for their learning and achievement. He

took comments and questions from studio audiences in Cleveland and Washington, and by phone and e-mail.

Focusing on schools and student success, "Education News Parents Can Use" offers parents and others interested in education information about getting involved in children's learning. The Brunswick City Schools Education Channel, The BEAT, airs the live program at <http://thebeat.pegcentral.com>.

Funding, continued from page 4
elementary, middle school and secondary history teaching, including career contributions and specific initiatives.

Maximum award: \$1,500

Eligibility: K-12 teachers working in groups

Deadline: March 15

Contact: www.historians.org/teaching/Beveridge.htm

Captain Planet Foundation grants

The Captain Planet Foundation (CPF) annually funds projects involving children and young adults. Recipients of these awards are often schools and nonprofits that propose projects promoting understanding of environmental issues. These projects must focus

on hands-on involvement; interaction and cooperation within the group; development of planning and problem-solving skills; and adult supervision.

Maximum award: \$2,500

Eligibility: youth ages 6-16

Deadline: March 31

Contact: www.captainplanetfdn.org/grants.html

Recognizing excellence in social studies teaching

The National Council for the Social Studies (NCSS) recognizes exceptional classroom social studies teachers who teach social studies regularly and systematically in elementary, and at least half time in middle or junior high and high school settings.

Maximum award: \$2,500

Eligibility: NCSS member

Deadline: April 1

Contact: www.socialstudies.org/awards/teaching

'WILD School Sites' grants

The Ohio Department of Natural Resources Division of Wildlife has grants available to help teachers develop "WILD School Sites" on their campuses. These sites enable teachers to take lesson plans outdoors, bringing environmental education concepts to life.

Maximum award: \$500

Eligibility: teachers who have successfully used Project WILD in their classrooms

Deadline: May 31

Contact: wildohio.com

January 2010

- 27 OSBA SSDAC MeetingColumbus
29 Annual campaign finance reports due (by 4 p.m.) detailing contributions and expenditures through Dec. 31, 2009 — RC 3517.10(A)(3) (last business day of January).
30 OSBA Board Presidents' WorkshopColumbus
30 OSBA Board Presidents' WorkshopFindlay
31 Deadline for educational service center (ESC) governing boards to meet and organize — RC 3313.14.
31-Feb. 2 NSBA FRNWashington D.C.

February 2010

- 2 Special Election Day — RC 3501.01 (first Tuesday after first Monday).
3 OSBA Northeast Region Executive Committee meeting.....Ravenna
6 OSBA Board Presidents' WorkshopRootstown
6 OSBA Board Presidents' WorkshopWilmington
8 Last day to submit certification for May income tax levy to Ohio Department of Taxation — RC 5748.02(A) (85 days prior to election).

- 10 OSBA Central Region Executive Committee MeetingColumbus
13 Last day to submit May emergency or current operating expenses to county auditor for May election — RC 5705.194, 5705.251 (80 days prior to election).
14 OSBA Southeast Region Executive Committee meeting.....Logan
18 Last day for school district to file resolution of necessity, resolution to proceed and auditor's certification for bond levy with board of elections for May election — RC 133.18(D) (75 days prior to election); last day for county auditor to certify school district bond levy terms for May election — RC 133.18(C); last day to submit continuing replacement, permanent improvement or operating levy for May election to board of elections — RC 5705.192, 5705.21, 5705.25; last day to certify resolution for school district income tax levy for May election to board of elections — RC 5748.02(C); last day to submit emergency levy for May election to board of elections — RC 5705.195; last day to submit phased-in or current operating expenses levy for May election to board of elections — RC 5705.251(A).
21 OSBA Northwest Region Executive Committee meeting.....Bowling Green

March 2010

- 1 Last day to take action on expiration of superintendent's contract — RC 3319.01; last day to take action on expiration of treasurer's contract (contracts entered into after March 30, 2007) — RC 3313.22.
2 OSBA Southeast Region Spring ConferenceGallipolis
4 OSBA Southeast Region Spring ConferenceZanesville
5 OSBA Special Education Law Workshop.....Worthington
9 OSBA Communication Workshop.....Columbus
10 OSBA State Legislative ConferenceColumbus
11 OSBA Northwest Region Spring Conference.....Lima
11 OSBA Management Development Series #1Columbus
16 OSBA Southwest Region Spring ConferenceClayton
17 OSBA Central Region Spring ConferenceColumbus
18-19 NSPRA Ohio Spring ConferenceNewark
19 OSBA ESC WorkshopColumbus
23 OSBA Workers' Compensation MeetingAthens