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— photo by Gary Motz

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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, unwavering advocacy and creative solutions.

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A tale of two cities — public schools and charter schools

Richard Lewis, CAE, executive director

harles Dickens' A Tale of Two Cities is set in Paris and London around the time of the French Revolution. The story depicts the dichotomy between a French peasantry disheartened by the nation's aristocracy and many unbecoming parallels with life in London. Such a comparison also can be made in Ohio between our public and charter schools, most vividly illustrated in the city of Youngstown.

A tale of unfulfilled promise

The *Akron Beacon Journal* best summarizes the history of charter schools in the Buckeye State.

"First authorized as a pilot program in 1997, Ohio's charter schools currently enroll roughly 120,000 students. Persistent poor performance in urban schools was offered as a rationale to create an alternative school system that would appeal to local entities — parents, nonprofit organizations, universities and school boards — interested in trying new instructional and operating ideas in 'community' schools."

The editorial continues: "Charter schools have changed the landscape of public education in Ohio. For the most part, the changes have worked to the detriment of traditional public school districts. This unfortunate result is due largely to state laws that have imposed financial burdens on districts without ensuring consistent oversight and accountability for the use of public funds by privately operated charter schools."

The *Cincinnati Enquirer* expands upon this, reporting that charters "receive about \$1 billion in state money, sometimes receiving more state aid per

student than their traditional public school counterparts. While some charter schools operate as excellent alternatives, the system has come under fire for spending significantly less time teaching math and reading and worrying more about private operators' interests than students."

Even the Ohio Department of Education (ODE) acknowledged the academic failure of this 18-year-old pilot program. In its 2013-14 Annual Report on Ohio Community Schools, the department concedes, "... the current absolute achievement of students in community schools is poor, as indicated by over 60% of schools having a Performance Index grade of D or F"

A tale of two bills

On Jan. 28, House Bill (HB) 2 was introduced to bring about reform to a system that the Cleveland *Plain Dealer* points out "spends hundreds of millions of taxpayer dollars per year on schools subject to little public scrutiny or oversight and that are, in most parts of the state, even weaker academically than their public school counterparts."

Ohio's approach to regulating its charter school system is even drawing national criticism. *The Washington Post* writes: "The bill — which, again, had the votes to pass — was tabled because, apparently, some lawmakers still want to make changes. The bill is supposed to come up again in September, but who really knows, given tepid efforts in the past to improve schools. Even if a bill passes later, implementation will be significantly delayed."

Now let's look at school reform for

traditional schools. Showing rare speed, the Ohio General Assembly — in the span of just one day — approved a last-minute amendment to HB 70, legislation that addressed school restructuring. The amendment was introduced and proponent testimony delivered to the Senate Education Committee in the morning, the full Senate approved the bill in the afternoon and the full House passed the bill that evening.

The amendment was designed to change the operation of Academic Distress Commissions, including the one that has been operating in **Youngstown City** Schools over the last several years. Under the plan, a future commission will hire a CEO who will have full managerial and operational control of the district.

The board of education has no authority over the CEO. In fact, the CEO has the authority to delegate assignments to the board. The CEO also can modify any policies or procedures established by the board. Complete details of HB 70 can be found on the OSBA website at http://links.ohioschoolboards.org/48509.

Gov. **John R. Kasich** was quick to praise the amendment's passage.

"Youngstown schools failed for nine years in a row, and this is the best thing that's happened to Youngstown schools, and one of the best things that's gonna happen to the city of Youngstown," Kasich said after a presidential campaign stop in Michigan. "And thank goodness we've got a (state) superintendent that understands all this, and he is great — period, end of story. Stop the whining."

Executive Outlook

Here is what Kasich missed. The last five years of decline occurred during the watch of the Academic Distress Commission, empowered by Kasich's administration. More distressing is that Performance Index scores now need to increase by more than 10% just to return to the levels achieved by the elected board before the commission took control.

A tale of an ineffective model

In Ohio, a district that fails to make adequate yearly progress for four or more years and is rated in academic emergency is placed in academic distress, and a state commission becomes the governing board. Youngstown City Schools was placed in academic distress in 2010.

Since the distress commission gained authority over the elected board of education, the results have hardly justified the loss of local control:

- 16% of the students have left the district;
- the district has failed to meet a single indicator two out of the last four years, down from five indicators met under the board's watch less than 10 years ago;
- the last two Performance Index scores are the lowest recorded scores in the ODE archive dating back to the 2003-04 school year.

My point is not to criticize the efforts of the commission. This group spent five difficult years trying to improve the lives of Youngstown children and deserves respect for its efforts. Every school district has the charge of delivering a world-class education and every student deserves no less. There can be little argument that dramatic improvement is still necessary. There should be even less argument that another commission is not the answer.

The Youngstown City Schools
Business Cabinet has come under
fire for stealthily crafting the HB 70
plan behind closed doors. **Thomas M. Humphries**, president and CEO of the
Youngstown/Warren Regional Chamber

and a member of the committee that devised the plan, countered the criticism by saying, "Were we supposed to meet with all 250,000 people in Mahoning County? The group was representative of people who are trying to fix that school system."

Ohio's approach to regulating its charter school system is even drawing national criticism.

Ironically, the representative group did not include teachers, school administrators, school board members or parents. In fact, the board of education was informed that no such plan was in the works. Even if policymakers believed that stakeholders would be obstacles to change, the secrecy, lack of transparency and exclusion of legitimately elected officials do not allow the end to justify the means. And while a sense of urgency cannot be ignored for the more than 5,000 children in Youngstown City Schools, where is that same concern for the 120,000 students in Ohio's charter schools?

A tale of high-quality choice

HB 70 provides that the academic distress commission, in consultation with the state superintendent of public instruction and CEO, will be responsible for expanding high-quality school choice options in the district.

To date, 25 charter schools have been created to compete with Youngstown City for student enrollment. Five of those charter schools have closed due to poor academic performance or financial viability. Only seven of the 20 remaining charter schools that enrolled students from Youngstown City earned even a slightly higher report card grade, but that result is exaggerated. Five of the seven charters had enrollments of students living in poverty between 46% and 59%, compared to Youngstown's

98%. Of the remaining, only two charters outperformed Youngstown and those two schools had far fewer special needs students than Youngstown City.

The data show that scores on state standardized tests vary at school districts based on the percentage of economically disadvantaged students enrolled. According to a study by the Ohio Education Policy Institute, districts with a Performance Index score of 90 or under enroll 83.29% economically disadvantaged students, while the figure for districts with a score above 105 is 14.24%. Poverty can never be an excuse to accept failure, but neither can its effects be ignored when comparing the relative success reported on one-size-fits-all grading systems.

This "competition" — hailed by the business community and policymakers as a panacea for education — has produced an enrollment decline in Youngstown City Schools from 12,777 in 2000 to only 5,111 today. Last year it also resulted in the diversion of \$22,303,178 in taxpayer funds from Youngstown City, making resources even sparser for those children left behind.

Legislation impacting the lives of children should not be crafted with haste, without input and with politics as the guiding compass.

Consider the words of British social reformer **Jeremy Bentham**: "It is the greatest good to the greatest number of people which is the measure of right and wrong."

OSBA is urging school boards to adopt a resolution opposing the last-minute changes made to HB 70; many boards already have done so. A sample can be found at http://links.ohioschool boards.org/40299. Please consider taking action on this at your next meeting. •

Editor's note: Data in this article came from http://knowyourcharter.com and ODE.



What you need to know for campaign season

Shadya Y. Yazback, deputy director of legal services

Tith summer's end, students are returning to class and communities welcoming the start of high school football season. These fall rituals also include the November campaign season.

Let's look at some important reminders for board of education candidates and individuals involved in school district levy or bond issue campaigns.

School board candidates

Individuals running for a seat on a local board of education must form a campaign committee with a designated campaign treasurer if they plan to receive campaign contributions or make campaign expenditures. Candidates may have a joint campaign committee and jointly designate a treasurer if all of the following apply:

- the candidates are seeking seats on the same board in the same election;
- the number of candidates does not exceed the number of open seats;
- the candidates jointly file all required reports.

Candidates spending only their own personal funds need not form a campaign committee. However, they must designate a treasurer prior to making out-of-pocket expenditures related in any way to their campaign.

Candidates running for a board seat in a school district with more than 12,000 students or the governing board of an ESC with more than 12,000 students must file a financial disclosure statement with the Ohio Ethics Commission 30 days before the first election in which their name will be on the ballot. For the Nov. 3, 2015, election, financial

disclosure statements are due Oct. 5, assuming the candidates were not involved in a primary election. The list of school districts for which this requirement applies is posted at http://links.ohioschoolboards.org/61729.

Ohio Revised Code (RC) 3517.21 specifically prohibits certain campaign activities, and violations of this statute can result in a criminal penalty of up to six months in jail and/or a fine of \$5,000 for each offense. Among prohibited activities are:

- spying on other campaigns;
- using the title of an office not currently held by the candidate;
- misrepresenting the candidate's schooling and professional licenses;
- making false statements about a candidate's criminal history;
- falsely stating the endorsement of a candidate by a person or publication.

Levy campaign restrictions

RC 3315.07 prohibits boards of education from spending public money to support the passage of a levy or bond

issue. Under RC 9.03, however, school boards may spend public funds "to communicate information about the plans, policies and operations" of the school district to members of the public within, and those who may be affected by, the school district. Ohio Attorney General Opinion 99-030 indicates that communication designed to inform the public of the consequences that are expected to follow from the passage or defeat of a particular levy are permissible. School districts need to be certain that their communications during a levy campaign do not cross the line from providing information about the financial implications of a levy or bond issue to advocating for passage of a levy or bond issue.

Similarly, school districts are prohibited from compensating employees for time spent on any activity intended to influence the outcome of a school levy or bond issue. Under RC 3315.07, school district employees may attend public meetings to present information about school finances and activities or other



According to Law

board actions even if the meeting occurs during the employees' working hours and the purpose of the meeting is to discuss or debate the passage of a school levy or bond issue. School employees must present factual information and avoid advocating a specific position on the ballot issue. Outside of work, school employees may engage in levy activities as they wish.

School levy committees are permitted to use school facilities for meetings if the meetings are nonexclusive and open to the public. Under RC 3313.77, the board of education must, "upon request and the payment of a reasonable fee, subject to such regulation as is adopted by such board, permit the use of school premises, when not in actual use for school purposes, for ... holding educational, religious, civic, social or recreational meetings and entertainments, and for such other purposes as promote the welfare of the community"

If school board members attend levy committee meetings, Ohio's Open Meetings Act may apply. Levy committees operate independently of the board of education and are not typically subject to the Open Meetings Act. However, if a majority of the board members attend the meeting and they discuss school district business, the meeting likely is subject to public meeting requirements.

Levy campaigns can use school resources such as telephones and postage meters if the property is not required for school use and the campaign reimburses the full cost of use to the district. School boards should not permit the levy campaign to use the school district's nonprofit bulk mail rate permit. By doing so, the school district creates a subsidy to support the passage of the levy. This is not permitted under RC 3315.07.

It is important to note that to the extent school district policies permit

the pro-levy campaign committee to use school space or resources, it must allow the same opportunity, on the same terms, to anti-levy groups. Under the Equal Protection Clause and the First Amendment, a school district may not grant use of its facilities or resources to people whose views it finds acceptable, but deny use to those wishing to express less favored or controversial views.

Campaign signs and literature

RC 3517.20 (F) requires all campaign signs and literature to include the disclaimer "Paid for by" followed by the name of the entity that paid for the campaign materials. Emails and campaign websites also must include this disclaimer. The statement "paid political advertisement" is not sufficient to meet these statutory requirements.

Campaign giveaway items like T-shirts, buttons, balloons, caps, candy, key tags and pencils are not required to include the disclaimer. If the size or nature

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of an item makes it unreasonable to include a disclaimer, the Ohio secretary of state may grant an exemption from the disclaimer requirement. The full list of items exempted from disclaimer are listed in Chapter 12 of the Ohio secretary of state's Campaign Finance Handbook, which can be accessed at http://links.ohioschoolboards.org/21075.

Any posting of campaign materials on school district property — for either board candidates or levy and bond issue campaigns — must comply with school district policies. As with the use of school space and resources, to the extent a school district permits the pro-levy or pro-bond issue campaign to post signs on school property, it must allow campaigns opposing the issue to do the same.

School board policies also will govern whether a school district can send students home with communications drafted by a levy committee. To the extent policy permits such literature to be sent home, the district must allow both pro-levy and anti-levy campaigns to do so.

Off school premises, campaign signs and literature must be displayed and distributed in accordance with local ordinances. Candidates and levy campaigns should make certain they and their volunteers know local restrictions on posting signs and distributing literature before engaging in these activities.

Campaign finance regulations

Campaign finance rules apply to candidates and levy campaigns. The campaign treasurer must record contributions of more than \$25, and the campaign must list the name, address, amount, date and type of entity (individual or business) making the donation in its records. Campaigns need to take care when recording money donations and in-kind donations, as both must be reported by the campaign if they meet reporting requirements.

Candidates also must take special care in recording their own contributions to their campaign as different rules apply for the donation of cash, in-kind items, expenditures to be reimbursed and loans to the campaign.

Some nuances in Ohio election law require special attention when planning fundraising activities. Campaigns are not permitted to accept anonymous donations, so they must in some way record the information of all contributors who give more than \$25 for special events. Under RC 3517.13 (F), cash contributions are limited to \$100 per person for the duration of the campaign.

Ohio law also prohibits children under the age of 7 from making campaign contributions. To the extent a levy committee is contemplating a campaign fundraiser on school premises or at an event where students might be present, it should ensure that the campaign does not accept contributions from students younger than 7.

Under RC 3517.092, school board candidates are not permitted to solicit contributions from school district staff. However, a candidate is permitted to accept unsolicited staff donations.

For a full understanding of campaign finance filing requirements and restrictions, review the secretary of state's Campaign Finance Handbook (http://links.ohioschoolboards.org/

21075). Chapter 2 of the handbook covers candidate requirements; Chapter 8 lists requirements for levy and bond issue campaigns.

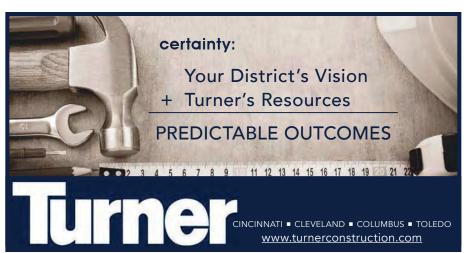
Resources

OSBA offers board candidate resources at http://links.ohioschoolboards.org/12011. Another resource is the OSBA book *Candidate: A practical guide to running for school board*, which can be purchased at http://links.ohioschoolboards.org/10504 or by calling (614) 540-4000.

OSBA will be hosting Board Candidate Workshops throughout the state in September to explain campaign finance, ethics and other topics. Dates, locations and other workshop details are included on the board candidate resources Web page listed above. A webinar will be held of Sept. 30 for those who cannot attend a workshop.

Registrants will receive a Board Candidate Kit, which includes the previously mentioned OSBA candidate book; a subscription to the OSBA *Journal*, the premier bimonthly magazine for school board members; and a subscription to the association's *Briefcase*, a semimonthly newsletter.

"According to Law" is designed to provide authoritative general information, sometimes with commentary. It should not be relied upon as legal advice. If legal advice is required, the services of an attorney should be obtained.





A look at the new rules on door barricades

Van D. Keating, director of management services

he start of another school year, coupled with the recent passage of the state budget, usually results in numerous, last-minute changes for districts. Boards and administrators are hard pressed to understand the whats, whens and whys of these changes. They are always looking for succinct explanations that give clear direction.

One of those last-minute changes relates to school security.

The biennial state budget, House Bill 64, contains a provision on door barricades that could directly affect school emergency management plans. Theoretically, barricading doors in some emergency situations — such as an active shooter on school property — is a desirable response. However, devices that prohibit classroom access through doors ran afoul of some fire and building codes. That's why Ohio schools avoided these devices and did not include them in emergency plans.

Modifications were made in the budget to Ohio Revised Code Sections 3781.106 and 3737.84 that require the Ohio Board of Building Standards to adopt rules authorizing staff members of a public or private school or institution of higher education to use security devices. This includes those that prevent both entrance and exit for a fixed period of time and in an emergency situation.

In late July, the building standards board issued a report taking a strong position against barricading doors. In opposing the devices, the report cited the time it takes to install and remove the barricades, concerns the devices could

prevent emergency responders from quickly getting inside a room and the possibility that they could violate federal disability laws.

Door barricades certainly do not solve all safety problems, but they are a viable component that can legally be added to emergency plans.

Despite the board's opposition, it will work to adopt rules consistent with the change in law, a board spokesman told The Associated Press.

Under the new law, staff members must be trained to use the barricade device and schools need to maintain a record verifying this training. In addition, schools must notify police and fire chiefs prior to using such devices. The law specifically "prohibits the fire code from prohibiting devices operated in accordance with the Ohio Board of Building Standards Rules."

Once the building standards board adopts rules and schools train staff, many of the commercially available door barricades can now be used by schools. Of course, selecting the right device, modifying district school emergency management plans, notifying police and fire departments and determining how and when the device would be used is entirely a local decision. It also would be wise to consult with emergency

responders before making a purchase.

In my experience, door barricades are relatively inexpensive, simple and effective. Regardless of whether the door has a lock, these devices rely on physics to prevent doors from opening. Once deployed, the door cannot be opened from either direction until the barricade is removed. Door barricades certainly do not solve all safety problems, but they are a viable component that can legally be added to emergency plans.

Recently released data on active shooters is helping to put the need for preventive measures in perspective. One study found that schools were the most-targeted venue by active shooters. Of the 135 attacks analyzed by the study, schools were targeted 38 times. These attacks wounded or killed 912 victims, with a fatality rate of 46%. Nearly all of the active shooters were male (97%) and most younger than 29.

In 2012, the worst year for such attacks, there were 171 attacks and 78 deaths. California, Florida and Pennsylvania led the nation in the number of attacks. Approximately 62% of the shooters exhibited prior signs of mental illness.

What's most troubling is the increase in the number of mass shootings. Between 1995 and 2005, there were 16 such events. In the decade that followed, there were 34.

Under Ohio law, school districts are required to review their emergency plans once a year, but many do it much more frequently. With these statistics in mind, carefully consider whether door barricades fit your needs. •



Creating a workplace where magic can happen

Kathy LaSota, director of school board services

ended my 43-year career serving Ohio's public schools at the end of August. As we "old folks" often do, I have been reflecting on the past a lot these days.

Most of my reflections focus on the good people I have partnered with and the institutions for which I have had the good fortune to work. I can't help but ask that when comparing those great experiences, what were the common elements that set them apart from the not so great? What makes those same particular snapshots of situations and conversations unforgettable? More importantly, what was it about the environment in which I worked that motivated me to want to be the best employee I could possibly be?

As it turns out, my great experiences — especially every day of the last 12 years here at OSBA — align with what a variety of researchers have concluded for decades. It is all about the quality of the workplace and how it impacts people.

You might ask why are my personal reflections relevant to you? It's a nobrainer. One of the key responsibilities of a board of education is to provide the capacity and structure that enables employees to achieve the mission and vision of the district. A positive and supportive workplace environment can be the difference in achieving the goal of all students reaching their full potential. When teachers and staff form positive relationships with students and work in an environment that supports their best work, it transfers to their daily interactions and their work ethic. When

this happens, employees and students want to be there and they want to be fully engaged, both academically and socially.

Research shows that if you hire the best, put the right people in the right seats on the bus *and* provide a high-quality workplace environment, your organization can soar. The list of environmental factors is long. For me, here are the characteristics of a highly effective workplace:

- All employees share a strong sense of common purpose. They are clear about their work, both individually and the team's, and why both are important to the bigger picture. Everyone has mutually agreed upon, challenging objectives that advance the goals of the organization.
- Empowerment and a sense of mutual respect enable employees to share responsibilities, help each other, collaborate and meet challenges. People aren't limited in solving problems and making thoughtful decisions. They have opportunities to grow and learn new skills. There is a sense of personal and collective power and pride.
- Everyone needs some recognition now and then. In an effective work environment, individuals and team accomplishments and milestones are recognized and celebrated. Employees understand how their roles fit into the organization's vision and they gain a sense of personal satisfaction when they contribute.
- Each person has a strong connection to someone every day. It

- is through good communication, strong relationships and personal connections that creativity and loyalty develop. Students recognize it when teachers and others seek partnerships, share challenges and opportunities, and seek guidance for continuous improvement.
- When employees feel they can state their opinions, thoughts and feelings without fear, an atmosphere of trust and acceptance and a sense of community is created that carry employees through the most trying days.
- We all want to work for a winner. An organization that sets high standards and identifies what success looks like motivates employees to do their best and participate creatively. An organization that honors a traditional way of doing business, but capitalizes on the creativity of its employees to flex and grow as the environment shifts will sustain long-term success. Highperforming individuals want to be a part of that excitement.

As you begin the 2015-2016 school year and start planning for the challenges ahead of you, don't forget to pause for a brief moment and assess the policies and practices that impact the workplace environment. Think about the dedicated adults who teach, work and play with your students every day.

When a high-quality workplace environment meets a highly effective workforce, magic happens. It happened for me. ■



Legislative attempts to crack down on charters

Jay Smith, deputy director of legislative services

In 1997, Ohio enacted legislation to authorize the creation of community schools. Also commonly referred to as charter schools, they continue to grow in Ohio as well as across the country.

Ohio charter schools were first created to provide an alternative path to quality education for students whose traditional public schools were failing. Over time, changes in charter law created loopholes that led to irresponsible behavior, corruption and weak education results.

Charter schools are publicly funded and privately managed. They have

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more freedom to oversee their budgets, staffing, curricula and operations than traditional public schools. In exchange, they are expected to deliver improved academic results by providing families with greater educational options outside of traditional public schools. Unfortunately, this freedom has allowed many charter schools to be riddled with fiscal mismanagement, accountability concerns and very poor performance. According to the Ohio Department of Education (ODE), 70% of charter schools scored Ds and Fs on last year's state report card.

More than 400 charter schools are operating across the state, siphoning more than \$1 billion in state funding from traditional public schools. Every student attending a charter school takes nearly \$5,800 annually from his or her local school district, leaving fewer dollars to support that district's remaining students.

For many years, OSBA has opposed diverting limited resources from traditional public school districts to the large number of poorly operated and failing charter schools. OSBA has advocated for tighter controls on charter schools and their operators, along with increased oversight by locally elected boards of education. Those concerns have only been heightened by recent revelations that failing grades for some charter schools were not reported on evaluations of those schools' sponsors.

For the first time in many years, Ohio legislators have responded to the concerns about Ohio's charter school system. House Bill (HB) 2, introduced in late January, calls for increasing charter schools' accountability and

fiscal transparency. Not only are some legislative leaders championing this legislation, Ohio Auditor **Dave Yost** also is strongly advocating greater accountability for charter schools.

Some of the reform provisions included in HB 2 would:

- allow local school district and ESC sponsors to provide goods or services to their charter schools at cost;
- prohibit school district or ESC employees from serving on the governing authority of a charter school sponsored by that particular district or ESC;
- require charter school sponsors and governing board members to annually report expenditures made to provide oversight or technical assistance to the charters they authorize or serve;
- prohibit local school district board members from serving on charter school boards;
- require charter school treasurers to be directly employed by, or under contract to, the charter school governing authority;
- mandate that a charter school sponsor, as opposed to a contracted agent, meet with the state auditor on issues of enrollment, financial records and audits;
- compel ODE to publish on its website an annual performance report for all charter schools in the state;
- require that contracts between sponsors and charter schools contain performance measures that include state report card ratings;
- mandate that charter school governing authority members, administrative staff and supervisors

Capital Insider

receive annual training on open meetings and public record laws.

One area of concern, highlighted in OSBA testimony before the legislature, was a provision prohibiting sponsors from selling goods and services to charter schools they support. Although the intent of the provision is to avoid possible conflicts of interest on the part of the sponsor, OSBA believed the restriction could hamper the efficient operation of many charter schools.

Several public school districts and ESCs sponsor conversion and start-up charter schools. With charter schools able to obtain goods and services from their public school sponsors, they can take advantage of sponsors' economies of scale and shared services. In these cases, OSBA's position was that the proposed restrictions in HB 2 would create unnecessary costs and increase public spending. Thanks to OSBA's advocacy, legislators amended the bill to allow local district and ESC sponsors to sell goods and services at cost.

Shortly after HB 2 passed the Ohio House of Representatives and committee hearings began in the Senate, Sen. **Peggy Lehner** (R-Kettering) and Sen. **Tom Sawyer** (D-Akron) introduced bipartisan legislation, Senate Bill (SB) 148, that would increase accountability and transparency for charter schools and their governing boards and operators. OSBA supports the following provisions in SB 148 as introduced in the Senate. The bill would:

- require a management company that receives more than 20% of the annual gross revenues of a charter school to provide a detailed accounting, including the nature and costs of the goods and services it provides to the school, using the accounting principles and standards set forth in all applicable pronouncements of the Governmental Accounting Standards Board;
- require all new and renewed agreements between ODE and a sponsor to contain specific language addressing the parameters under

- which ODE can intervene and revoke sponsorship authority, and permit modification of the agreement under circumstances of poor fiscal management and lack of academic progress;
- prohibit a person who has engaged in an act that would otherwise result in refusal, limitation or revocation of a license to teach from serving on a charter school governing authority;
- ban a person who has been charged with or pleaded guilty to certain theft offenses from serving on a charter school governing authority;
- prohibit a person from serving on the governing authority or engaging in the financial management of a charter school unless that person has submitted to a criminal records check;
- remove all references to the charter school attendance policy requiring automatic withdrawal of a student if the student fails to participate in 105 consecutive hours of learning, and instead clarifies that a charter school must adhere to the same attendance standard as traditional public school districts;
- mandate that charter school governing authorities adopt an annual budget by Oct. 31 each year and specify what information must be listed, including administrative, instructional services and other costs;
- require ODE to publish an annual directory of all charter operators;
- require ODE to obtain contracts between charter school operators and governing authorities annually.

While OSBA supports the main provisions of HB 2 and SB 148, the association believes these bills seeking increased oversight and accountability for charter schools can be further strengthened to have a meaningful impact on Ohio's education system. OSBA applauds legislators for considering these issues and discourages them from watering down the legislation. In addition, OSBA supports strengthening these bills by adding language that would:

hold charter and traditional public

- schools to the same standards and reporting requirements;
- mandate compliance with Ohio open meetings and public records laws;
- require advance notice of meetings;
- mandate that governing board members be qualified electors residing in a district served by the charter school;
- require report cards with letter grades for charter schools;
- fund charter schools directly, without channeling the dollars through a public school district.

With increased funding and support for the charter school industry in Ohio continuing, it is clear that charters are not going away anytime soon. Local school board members should stay abreast of the latest changes and continue to advocate for a charter system that has proper oversight.

Local board members should conduct research into the charters operating in their communities and learn why some students are choosing to leave their districts. This information can then be used to set up an action plan to help address these students' needs, as well as communicate to the community how public dollars are flowing through the district to the charter schools.

The bottom line is that parents will make decisions they feel are best for their children. The public education community must offer sound advice to these parents and demonstrate the value of traditional public schools.

Prior to the General Assembly recessing for summer, the Senate amended much of SB 148 into HB 2 and voted the legislation out of the Senate. The House, citing concerns with the bill as amended by the Senate, failed to act on the legislation. The House indicated that it will discuss the legislation further when lawmakers return in September.

For the latest information and updates on charter school legislation, contact OSBA's Division of Legislative Services at (614) 540-4000.

OSBA Capital Conference: an education sensation



Speaker Simon T. Bailey meets with Gail Requardt, East Muskingum Local (Muskingum) and Mid-East Career and Technology

Centers, during a small-group exercise at the 2014 Early Bird Workshop.

Leadership, learning on full display during 2015 OSBA Capital Conference

Angela Penquite, assistant editor

Just as students head back to the classroom each fall, school district leaders also have an opportunity to refresh their skills and learn from the best during the OSBA Capital Conference and Trade Show.

In its 60th year, the annual conference — Nov. 8-11 at the Greater Columbus Convention Center in Columbus — is the second-largest education convention in the nation, bringing together school board members, administrators, district staff and guests for four days of outstanding professional

development, networking and tips for boosting student achievement in Ohio school districts.

"Leadership for Learning" is at the heart of the conference, and there will be plenty of opportunities to do just that. The conference features more than 150 workshops, seminars, information sessions and networking events, with something for every level of school district leadership.

Student achievement will be on full display throughout











the conference. Student performing groups will entertain attendees before the General Sessions, and career center students will staff relaxation stations during the event. The Student Achievement Fair will be held on Tuesday, Nov. 10, from 11:30 a.m. to 3 p.m. Attendees can browse 100 booths hosted by students, teachers and district administrators who will be sharing programs that are boosting student achievement. This exciting event also features five performing groups from across the state and a student fine arts display.

The Trade Show — with nearly 600 booths — is a vast marketplace of all the goods and services school districts need to boost student achievement and maximize resources.

The General Sessions are hallmarks of Capital Conference, featuring student entertainers, awards and recognitions. But what makes the sessions even more special are the outstanding keynote presenters who take the stage each year.

Inspiring speakers and enlightening sessions also are planned for the Early Bird Workshop, OSBA Black Caucus Dinner and Conference Luncheons. Don't miss the opportunity to learn from these experts during this four-day celebration of learning, sharing and networking. Following are the 2015 keynote presentations.

Early Bird Workshop — Sunday, Nov. 8

Apple Inc. will lead the Apple Leadership Forum, where school leaders will convene to explore new ideas, tools and resources for creating a dynamic digital learning environment where today's students can achieve and thrive.

Attend the workshop to:

- network and explore ideas with other thought leaders;
- work directly with those who are on the forefront of change and innovation;
- learn about a framework for creating a successful one-toone learning environment based on best practices from schools and districts worldwide;
- hear about connections to college and career readiness,
 College Ready Ohio and other curriculum initiatives;
- discover new ideas and experiences, tangible implementation resources and new connections to a community of peers who share a common purpose.

Ennis Britton Co. LPA is sponsoring this session. Registration is \$100. Board members should notify their treasurer to register. On-site tickets will be sold on a spaceavailable basis.

OSBA Black Caucus Dinner — Sunday, Nov. 8
During her career in public service, Nina Turner has made it her mission to empower individuals, institutions and communities. As an executive assistant for legislative affairs for Cleveland Mayor Michael R. White and director of government affairs for Cleveland Municipal Schools, she became a respected voice in her local community and developed a reputation as a fighter for working families, good schools and government that served all people.

In 2006, Turner was elected as the first woman to represent Ward 1 on the Cleveland City Council. In 2008, she was appointed to the vacant 25th District Ohio Senate seat. She served as a legislator until 2014, championing innovative solutions to critical challenges. She was at the forefront of the campaign to reform Cuyahoga County's government into a transparent and accountable institution and sponsored legislation that laid the groundwork for the transformation of the Cleveland Municipal School District.

Turner currently is a professor of history at Cuyahoga Community College and chair of political engagement at the

School district group registration provides more bang for your buck

The OSBA Capital Conference and Trade Show is quickly approaching. If your school district is still undecided about attending, consider this great deal. OSBA is again offering a special school district group registration rate that reduces the per-person cost once seven or more individuals are registered. Registration is \$275 per person for each of the first six people from a member district. School district group registration — more than six people from a member school district — is a flat fee of \$1,700. That means your principals, food service directors, treasurer's staff, transportation supervisors, curriculum coordinators and other staff can come for one day or the entire conference without any additional registration fees.

Ohio Democratic Party. She is co-chair of the Ohio Task Force on Community and Police Relations, a member of the Ohio State Ballot Board and serves as a board member of the Karamu House, United Way of Greater Cleveland, Cleveland Police Foundation and Cuyahoga Metropolitan Housing Authority.

Music and networking begin at 6 p.m., with dinner at 6:30 p.m. The cost is \$70; the reservation deadline is Oct. 30. To register for the dinner, notify your district treasurer or indicate your request on the conference registration form. Registration is required; limited tickets will be sold at the door for \$75. Please indicate any special accommodations needed. All conference attendees are invited.

First General Session — Monday, Nov. 9

Leland Melvin is an engineer, educator and former astronaut who served as NASA's associate administrator for education. He is the only person drafted by the National Football League (NFL) to have traveled in space, and his jersey hangs in the



Dan Thurmon, the keynote speaker for the 2014 Second General Session, teaches an audience member to juggle to demonstrate how you can stretch beyond what's comfortable to achieve what's possible.

NFL Hall of Fame.

After injuries ended his football career, Melvin used his chemistry degree to land a position at NASA in the Nondestructive Evaluation Sciences Branch in 1989. He earned his spot as a NASA astronaut in 1998, and flew two missions on the Space Shuttle Atlantis as a mission specialist. As NASA's associate administrator for education, Melvin was responsible for developing and implementing the agency's education programs and strengthening awareness of the agency's scientific goals and missions. He also served as co-chair of the White House Federal Coordination in Science, Technology, Engineering and Mathematics (STEM) Education Task Force, developing the nation's five-year STEM education plan.

Currently the host of the Lifetime TV competition series "Child Genius," Melvin is dedicated to inspiring the next generation of explorers to pursue science, technology, engineering, art and mathematics (STEAM) careers.

Sponsors for the First General Session are Pepple & Waggoner Ltd.; Ross, Sinclaire & Associates LLC; and Walter Haverfield LLP.

Monday Conference Luncheon

The Nov. 9 luncheon will feature a Collaboration Connection. This lunch-and-learn is designed to help you collaborate with others on topics that fellow board members and administrators have indicated would be valuable to them in their roles as district leaders. These facilitated small-table discussions will allow for learning and sharing and lead to a deeper understanding in areas of interest or concern. Networking with those who have already tackled perplexing issues will allow for unique individual perspectives to be shared for the collective good.

Topics will include effectively communicating with your community; charter schools, home schooling and related issues; board roles and relations; levy strategies; safety and security issues; effectively using technology in schools; shared services; school cafeteria programs; promising education practices; school transportation issues; and critical issues in your district.

CompManagement is sponsoring the Monday Luncheon. Registration is \$50. Board members wanting to register should notify their district treasurer or OSBA. On-site tickets will be sold for \$55 at the conference registration desk on a space-available basis.

Second General Session — Tuesday, Nov. 10

Dr. Milton Chen has been a leading figure in educational media for more than 20 years. He joined the George Lucas Educational Foundation (GLEF) as executive director in 1998, bringing new leadership to its mission of gathering and

disseminating the most innovative models of K-12 teaching and learning in the digital age. A nonprofit foundation, GLEF shares its new vision through its website **Edutopia. org**, award-winning magazine, *Edutopia: The New World of Learning* and library of documentary films.

Before joining GLEF, Chen was the founding director of the KQED Center for Education and Lifelong Learning in San Francisco, managing the PBS station's Web content and delivery of educational services for teachers and others in support of public TV programming. He has been a director of research at the Children's Television Workshop in New York and an assistant professor at the Harvard Graduate School of Education.

Chen's interests span everything from project-based and global learning to technology and research on educational innovation. He is a frequent speaker on such issues and has authored more than 30 books and articles on educational media.

Boenning and Scattergood Inc.; Peck, Shaffer & Williams, a division of Dinsmore & Shohl LLP; Scott, Scriven & Wahoff LLP; and Squire Patton Boggs (US) LLP are sponsoring the Second General Session.

Tuesday Conference Luncheon

Selected by the Bengals in the first round of the NFL draft in 1980, **Anthony Muñoz** went on to become a standout, both on and off the field. During his 13-year career with the Bengals, Muñoz played in two Super Bowls, was named Offensive Lineman of the Year eight times, made 11 Pro Bowl appearances and earned a reputation as one of the greatest offensive linemen in NFL history. He was inducted into the Pro Football Hall of Fame in 1998.

Since leaving football, Muñoz has dedicated his time to giving back to his community through work with youth groups and charitable initiatives. In 2002, he created the Cincinnati-based Anthony Muñoz Foundation to consolidate all of his community work within one organization. The nonprofit group works to educate, promote, recognize and reward youth in the Cincinnati tri-state area who excel in all phases of life, while reaching out to build up those who are struggling. The foundation awards scholarships, provides internships, conducts mentorship programs and offers sports, leadership and academic camps.

Munoz also has served as an NFL analyst on ESPN, CBS and Fox Sports.

The Tuesday Luncheon sponsors are CompManagement Health Systems Inc.; NaviGate Prepared; and OSBA Insurance Agency in partnership with Assurant Employee Benefits. Registration is \$50. Board members wanting to register should notify their district treasurer or OSBA. Onsite tickets will be sold for \$55 at the conference registration desk on a space-available basis.



Keynote Speaker Katie Smith, right, greets an attendee following a 2014 Capital Conference Luncheon.

Third General Session — Wednesday, Nov. 11

A familiar face on morning, daytime and prime-time television, and one of broadcasting's most respected journalists, **Jane Pauley** joined CBS' "Sunday Morning" in 2014. The winner of numerous awards, Pauley began her network career as co-host of "TODAY" for 13 years, anchored "Dateline NBC" for more than a decade and hosted her own daytime program, "The Jane Pauley Show."

She is the recipient of multiple Emmys, the Walter Cronkite Award for Excellence in Journalism, the Edward R. Murrow Award for outstanding achievement and the Gracie Allen Award from the Alliance for Women in Media. She also is a member of the Broadcast and Cable Hall of Fame.

Pauley has written two *New York Times* best-selling books: a memoir, *Skywriting: A Life Out of the Blue* and *Your Life Calling: Reimagining the Rest of Your Life*, based on her award-winning series on "TODAY" about people 50 and older starting different careers, learning new skills, making a difference or pursuing their dreams.

A longtime advocate for children's health and education, Pauley also is a highly regarded spokesperson on mental health.

The Third General Session is sponsored by CompManagement and Smith Peters & Kalail Co. LPA.

For more Capital Conference information, visit http://conference.ohioschoolboards.org or call OSBA at (614) 540-4000 or (800) 589-OSBA. ■



Achievement fair brings big ideas, people together

Scott Gerfen, communications manager

Inding and promoting distinctive ways to educate students remains the top priority for the popular Student Achievement Fair at OSBA's Capital Conference and Trade Show.

To take it all in, visitors will need to keep a quick pace, with 100 booths showcasing some of the brightest student and staff minds in Ohio public education. The event runs from 11:30 a.m. to 3 p.m. on Tuesday, Nov. 10, at the north end of the Greater Columbus Convention Center.

The fair, created to boost student achievement and engage young people, brings together an impressive display of cutting-edge curriculum ideas, talented musical performances and exceptional art projects.

The school programs selected to participate in the fair are

based on their originality and creativity in boosting academic performance. Programs focus on themes such as peer mentoring and support groups; construction trades; energy efficiency and conservation; robotics; video storytelling; biomedical science; computer programming; internship programs; and STEM projects. The Conference *Guide* provides descriptions of programs and their locations.

The fair highlights these programs so districts can learn from each other. Students and teachers who staff the booths are ready and excited to share their practices and accomplishments.

Begun in 1999, the fair is the brainchild of OSBA's Student Achievement Leadership Team (SALT), composed of school board members and OSBA staff. It is the largest of SALT's many initiatives.



There also are five student entertainment groups representing each of OSBA's five regions that will perform:

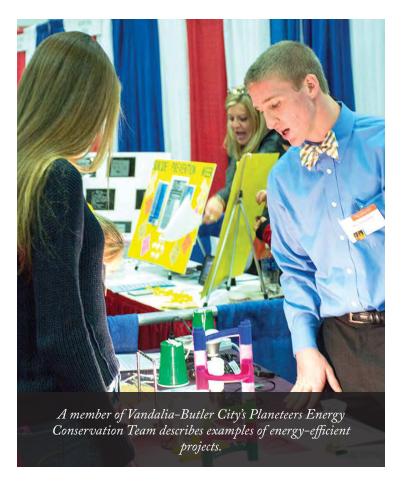
- Noon-12:20 p.m. Groveport Madison Local (Franklin), Groveport Madison High School Percussion Ensemble;
- 12:35 p.m.—12:55 p.m. **East Cleveland City**, Shaw High School Progeny jazz band;
- 1:10 p.m.-1:30 p.m. Morgan Local (Morgan), Morgan High School Band;
- 1:45 p.m.–2:05 p.m. **Bellevue City**, Bellevue High School Good Vibrations handbell choir;
- 2:20 p.m.–2:40 p.m. **Middletown City**, Middletown High School Show Choir.

The student performance area is sponsored by Ennis Britton Co. LPA. Be sure to spend some quality time getting to know more about these impressive programs featured at the fair, as they could impact the lives of students and staff in your district.

Pepple & Waggoner Ltd. is sponsoring an exhibition of award-winning student visual art projects, including digital displays.

School districts, including their program titles, registered to participate in the 2015 Student Achievement Fair, as of Aug. 14, are:

- Barnesville EV Project Lead the Way
- Batavia Local (Clermont) Crossing Paths History Meets Science
- Big Walnut Local (Delaware) Scientists Rock!
- Bloom-Carroll Local (Fairfield) Seven Ingredients for Success
- Bloom-Carroll Local (Fairfield) Career Exploration
- Buckeye Career Center Energy Operations
- **Butler Tech** Project Lead the Way Computer Science
- Canton City Success Classes
- **Chardon Local (Geauga)** Actively Caring for People (AC4P)
- Clinton-Massie Local (Clinton) Robotics Club
- Crooksville EV Digital Media
- Cuyahoga Falls City Interest-Based Learning
- R.G. Drage Career Technical Center Bakery and Pastry Operations
- Dublin Ĉity The Wonder Project
 Dublin City Young Professionals Academy
- East Cleveland City Learning Through Music
- East Cleveland City Provost Scholars
- East Muskingum Local (Muskingum) The Be E3 Smart Program
- Eastland-Fairfield Career & Technical Schools Cosmetology
- Eastland-Fairfield Career & Technical Schools
 - Exercise Science



- Eastland-Fairfield Career & Technical Schools — Pre-Engineering
- Elgin Local (Marion) Recycling Club
- Elida Local (Allen) Environmental Club
- Franklin City Community Outreach Picnic
- Franklin City Incentive-Based PBIS Programs
- Fremont City The LINK
- Goshen Local (Clermont) Service Learning Project
- Green Local (Scioto) Courage Committee
- **Huber Heights City** Energy Bike for Science Instruction
- Logan-Hocking Local (Hocking) Biomedical Sciences
- Mad River Local (Montgomery) 21st Century Construction Trades
- Mad River Local (Montgomery) Digital Design
- Mad River Local (Montgomery) Humanoid Robotics
- Margaretta Local (Erie) High School Leadership Program
- Marion City GREAT at Grant
- Marion City Leader in Me
- Meigs Local (Meigs) After School Kids (ASK)
- Mentor EV Robotics and Design
- Miami Trace Local (Fayette) FFA Fall Harvest Day
- Miami Valley Career Technology Center -Firefighter/EMS Program



- Mid-East Career and Technology Centers Business Employability Skills Training (BEST)
- Middletown City Developing Relationships Through Retreats
- Middletown City RTI: From Theory to Practice
- Mount Vernon City The Bookfast Club
- Mount Vernon City Cultures and Comparisons
- Newark City After School Adventures
- Noble Local (Noble) Guitar Theory I and II
- Northmont City We All Need a Little Bing Bling
- Northwestern Local (Clark) Crazy 8's
- Northwestern Local (Wayne) Clean Energy Programs
- Patrick Henry Local (Henry) Project Revolution Robotics
- Plain Local (Stark) Connect the Beat Conductivity and Music
- **Reynoldsburg City** GSVA Visual Arts Journey Program at Reynoldsburg
- Rolling Hills Local (Guernsey) Community-Based Agencies in Schools
- Springfield-Clark Career Technology Center Clark State Summer Intern Showcase
- Steubenville City Goal Setting with Gifted Students
- Steubenville City STEM Education

- Three Rivers Local (Hamilton) Human Rights for
- Tri-County Career Center Video Storytelling
- Twin Valley Local (Preble) Nets in Our Life
- Upper Valley Career Center Exercise Science
- Vantage Career Center Network Systems
- Vermilion Local (Erie) International Clue Hunters
- Vinton County Local (Vinton) Community Mural Project
- Wadsworth City STEM Camp
- Warren County Career Center Information Technology (IT) Tech Prep
- Washington Local (Lucas) Peer-to-Peer Support Program
- Wayne County Schools Career Center Engineering Technologies
- Waynesfield-Goshen Local (Auglaize) Guided Reading Group Sarcophagus
- Waynesfield-Goshen Local (Auglaize) Moments
- Weathersfield Local (Trumbull) History Club
- Westfall Local (Pickaway) Westfall Business Academy
- Xenia Community City Making STEM Elementary
- Xenia Community City XTAR Young Entrepreneurs Project



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Serving over 175 Districts





ETPI group name change reflects expanded focus

Amanda Finney, senior marketing coordinator

he landscape of school funding and the fiscal climate are always evolving. To remain current and continue to serve member needs, the group formerly known as the Education Tax Policy Institute (ETPI) has updated its name to the Ohio Education Policy Institute (OEPI).

In addition to rebranding, the group unveiled a new logo and a refreshed website. This new name will be used for sharing research, reports and communications with school districts, media and legislators. The tag line — Informing Education Public Policy — will accompany communication.

Evolution of change

The organization's research and analyses have been updated to reflect the wide range of issues impacting public schools and district needs.

At the 2014 annual meeting, ETPI's officers and trustees asked members to provide input in an effort to more

accurately reflect the activity and information offered by the group. In January 2015, the organization's trustees approved the name change.

History and member benefits

OEPI has been successful in providing credible and insightful information to help policymakers and educators make important decisions about public education policy.

Since its inception in 1997, the group has supplied data on behalf of school districts on property tax issues. It now will cover a variety of education funding and policy topics. Using the expertise of consultant Dr. **Howard Fleeter**, this nonprofit research arm for education has become known as Ohio's premier resource for school-funding and education public policy.

OEPI benefits members by publishing informative studies, articles and reports for school districts and others. Another major benefit the organization

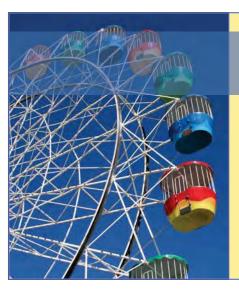
offers is the expertise to respond quickly to legislative proposals and evaluate the long-term effects of existing law.

OEPI also plays a critical role in the state budget process. The group, which was instrumental in analyzing the current state budget for fiscal years 2016-17, serves as the "go-to" organization for policymakers. OEPI will ensure public schools remain informed about fast-paced legislative changes and updates.

Resources

For past issues of the organization's newsletter and other updates, visit the new website at **www.oepiohio.org**. Newsletters are published quarterly.

For more information about OEPI or to become a member, contact **Marcella Gonzalez**, OSBA senior administrative assistant of legislative services, at (614) 540-4000, (800) 589-OSBA or mgonzalez@ohioschoolboards.org.



Going nowhere fast?

When you are ready to help your district move forward, OSBA Division of School Board Services can help. Choose the planning option that meets your specific needs:

- District strategic planning
- District goal setting
- Superintendent performance goals

For more information or to schedule planning options, contact **Cheryl W. Ryan** (cryan@ ohioschoolboards.org) or **Steve Horton** (shorton@ohioschoolboards.org) at (614) 540-4000 or (800) 589-OSBA.

Digital school keeps



Newark Digital Academy Director John Lutz presents an overview of the school to prospective students and their parents during an open house at the academy. Founded in 2003, the online dropout prevention credit recovery school is sponsored by Newark City Schools.

Newark academy focuses on graduation for all

s director of a dropout prevention credit recovery school, **John Lutz** knows a thing or two about hard knocks — and so do his students.

For Lutz, those knocks take the form of funding challenges, enrollment caps and what he calls "data shaming."

For some of his students, the challenges are even more daunting: homelessness, family strife, pregnancy and serious health issues.

Lutz leads Newark Digital Academy (NDA), a public online conversion community school sponsored by **Newark City** Schools. The innovative e-school opened in 2003 in a

renovated multipurpose room that had been added onto a now-demolished elementary school in 1954. Lutz, who spent 13 years as a classroom special education teacher and six years overseeing numerous programs at **Licking County ESC**, came on board as NDA director in 2008.

The academy rented the building from the school district before buying it in 2009. Since then, extensive renovations have modernized the facility and nearly doubled its size to more than 11,000 square feet. And it needs that space because, although NDA is primarily an online school, it offers its students many on-site services. That, Lutz said, is what makes it different from what he calls "the big boys," the multi-state, for-profit online schools.

kids on course Gary Motz, managing editor

"We have our own teachers here, so if someone is working at home on a math lesson and gets stuck, that student can come in and get some help," Lutz said. "They meet with the same teacher who's grading their online work, get their issue fixed and go back home and get to work. So, what we've evolved into is a bit of a different spin than what the bigger online schools are doing."

Lutz said students also have access to a science lab, fine arts tutor and current events class led by a social studies teacher. Another offering is a videoconference course with the Rock and Roll Hall of Fame and Museum in Cleveland. The school maintains regular tutoring hours during which students can drop in for help during the school year and by appointment over the summer. Students who live in the Newark City School District also are eligible to take part in the school system's athletic programs and other extracurriculars.

Serving many needs

The academy is designed to serve children from kindergarten through 12th grade; however, most of its enrollees are high school students, Lutz said. Enrollment at the end of last school year was 372.

The 34-person staff includes 12 full-time teachers, along with counselors, tutors, graduation coaches, intervention specialists, computer technicians and a learning coach, social worker and truant officer. The school is governed by a five-member board made up of two educators, a former Newark City school board member, a parent and the director of Licking County Job and Family Services.

"I always stress the fact that we are a public school, not a private school," Lutz said. "All of our teachers are highly qualified and licensed in the areas that they teach. They have the same credentials as those who teach at Newark High School or Licking Valley High School or Heath High School. Our curriculum is aligned with Ohio's Learning Standards, the same as traditional schools."

Students are drawn to NDA for a variety of reasons, said **Amanda Adams**, the school's social worker. One of the primary motives is credit recovery for those who have fallen behind. Some students want to graduate early and choose the online option so they can work at an accelerated pace. Others

attend because they struggled in a traditional school setting due to behavioral and mental health issues, bullying, trouble focusing in a classroom, chronic illness and poor attendance.

"Problems we see our students and families struggling with include transportation, food, clothing and shelter," Adams said. "Some of our older students are working to help pay the bills or they're on their own and providing for themselves. From 55% to 70% of our students would qualify for free or reduced lunch."

Pregnancy and parenthood also pose challenges. Adams said that most years, 20 to 30 NDA students are either pregnant or already a parent. There also are students who are caught up in the juvenile justice system, either in detention or on probation.



Eleventh-grader Sam Foell works on an oceanography project at Newark Digital Academy. Although an online school, the academy also offers students on-site tutoring and classes.



Academy Director John Lutz leads parents and potential students on a tour of the school.

The school works hard to keep those students on track in the face of those considerable challenges.

"I deal with a lot of the extra services we provide to help students overcome these barriers," Adams said. "For example, we offer elective credit for teen parents to take parenting classes in the community, and have online and in-person support groups. We have online classes teaching the skills needed for transitioning to adulthood, coping with stress, money management and applying to college. I also keep in contact with probation officers."

The academy is an official site for the Ohio Benefit Bank, Adams said. Students and families can apply to the bank for food assistance, health services, help with utility bills, college financial aid and more. In addition, NDA maintains a "clothing closet" that provides free clothes for students and their families. Items are donated by staff members and their families.

"If you're our student, your whole family is basically ours," Adams said.

Flexibility allows year-round learning, planning for the future

Students must master 36 online lessons to complete a credit, a number that corresponds to a 36-week school year. Many work through the summer to get ahead or make up lost time.

"We work on a traditional school year, but we're essentially a 12-month program, because we're not going to turn your account off in the summer," Adams said. "We have students who work all summer long and get back on track because they want to graduate with their class."

Sam Foell is one of those students. On OSBA's visit to the academy in late June, the 11th-grader was working on an oceanography research project with social studies teacher **Ryan Walker**. Foell transferred to the academy from a large high school that wasn't a very good fit for him.

"I didn't like the classroom setting," Foell said. "I learn differently and do better one-on-one and independently, not in a big class. It's a lot easier to learn here, there's a lot more tutoring and hands-on things, and the teachers want to work with you and your schedule. I usually come into the building

once or twice a week.

"If I was at my old school, I'd still be struggling through and trying to get caught up. Here, I'm thinking about graduating early, maybe by next fall. That's part of the reason I'm working on school through the summer."

Foell, who plays drums, said he hopes to attend a music college after he graduates.

Walker, who was working on-site over the summer, said that despite being mainly online, NDA is a very personal school. He strives to build a rapport with his students and show them how different aspects of social studies are relevant to their lives.

"We are very focused on the individual," Walker said. "Our motto is 'learning individually, achieving together.' This allows students to be self-advocates and take control of their learning. I feel we are offering a service that previously was unavailable to students.

"I have a lot of students who feel comfortable with me and ask questions beyond social studies. They also talk to me about what's going on in their lives. If they are not moving along in their courses, we contact them at home and encourage them to get help."

Interaction with parents is a key component of NDA's approach. This includes parent-teacher conferences, phone calls and emails. Walker said one of the rewards of his job is hearing from parents about how much the academy is helping their children succeed.

"I can tell that a lot of parents feel like a weight has been lifted off their shoulders," he said. "Some parents have mixed feelings, because to them, online education is still very new. But once they get a real-world feel of what we do and see how we interact with their children, it makes them feel more comfortable."

Some students are doing postsecondary work at Ohio State University at Newark and Central Ohio Technical College while enrolled at NDA. Attending college while taking online courses gives them more flexibility with their postsecondary choices, since they can do their academy work at any time.

The school also offers postsecondary counseling. Dean of Students **Brett Montgomery** oversees those efforts.

"We work individually with students to provide them a personalized path to their postsecondary careers," Montgomery said. "With College Credit Plus, we direct students to their school of choice with information on what they will need to know going into their first year. With career counseling, we use the OhioMeansJobs program to steer them

to a desired career path.

"We also talk with each student about future goals, be it career training, the military, two-year tech programs or a four-year college. Then we start applying those goals toward the courses they are currently taking."

Dealing with special challenges

Among the challenges NDA faces — like any other school — is funding, most of which is derived from per-student state foundation funds. Complicating that is an e-school enrollment cap enacted last year. Schools are free to enroll students beyond the cap, but they won't receive additional funding for them. This hits NDA particularly hard since the school has expanded staff and its facilities to serve more students.

"Because of the cap, we've had to turn people away and turn them over to these big online groups that may not have as good a stewardship of public funds as we do," Lutz said. "They cannot serve our students here as well as we do locally ... My philosophy is if kids are going to go to school online and they live in Newark, they need to be going to Newark Digital Academy."

Another challenge is unfavorable comparisons of NDA's graduation rates, test scores and other data with traditional school districts.

"Here's where I'm lucky to have a supportive board, because in a data-driven environment, we've had to weather a lot of data shaming," Lutz said. "We have a 45% four-year graduation rate, but that doesn't tell you a lot, because maybe some of our students were only in school part of that time. What we want to do is convince people to stay the course and earn their high school diploma.

"Two years ago, we had 85 graduates and 99 last year. If you combine our four- five- six- and seven-year graduation rate, we're at about 74%.

"We also deal with small data pools with a lot of special education students for high-stakes testing. One eighth-grade testing pool had 11 students, and six of them were special education. But nobody cares about that; they just care about that number that shows up in the newspaper."

State report cards for dropout prevention credit recovery schools have three ratings — exceeds standards, meets standards and does not meet standards. Schools are measured on high school test passage, gap closing and graduation rate.

On NDA's most recent report card, the school exceeded standards in every category. Its four-year graduation rate was nearly double other dropout credit recovery schools. More than 70% of its students passed all the state tests, with 84% passing reading and 77% passing math.

"When it came to the four-year graduation rate, I felt we needed to draw a line in the sand," Lutz said. "Data shaming or not, what really matters is that you put together services to allow a student to earn a high school diploma, even if you have to be the scapegoat. Because, what's going to benefit the city of Newark and the Licking County community more, being a slave to the graduation rate and letting people slip through the cracks or helping kids work toward a diploma who otherwise couldn't?"



Social worker Amanda Adams explains some of the many support services she oversees at the academy.

Staying the course

Despite the hard knocks, NDA is committed to giving every student the chance to succeed. And many have been grateful for that opportunity.

Lutz has a folder of letters from past graduates thanking the school for giving them the push they needed. Expressions like these run throughout the notes: "Thank you for not letting me give in when circumstances were less than ideal." "Thank you for recognizing my true potential when I couldn't see it for myself and never giving up on me." "Thank you for the plan of action at the last possible moment after a year of almost no progress."

Another student, whose mother was terminally ill, was allowed to graduate early. The school conducted an impromptu graduation ceremony — complete with cap and gown — at the mother's bedside while "Pomp and Circumstance" played on a cellphone. The ceremony made news around the world after *The Newark Advocate* shared it with The Associated Press.

The school helped another student, who was in juvenile detention, stay on path toward graduation by delivering her work to her. She received her diploma after her release.

"I don't know if this is taking ourselves too seriously," Lutz said, "but I consider us to be somewhat social architects. Because, if we aren't doing the work we're doing, who is?

"The answer is, 'nobody.""



Report examines challenges, opportunities for boys of color

Myriad non-school factors affect education outcomes

Jason Reece and Jillian M. Olinger, Kirwan Institute for the Study of Race and Ethnicity

The past year brought national attention to the violence and challenges facing too many young men and boys of color and their families in communities across the country. The national dialogue has provided another opportunity to examine the intersection of race and gender, and how it continues to influence opportunities to succeed.

Understanding the challenges and opportunities, along with the resilience of boys of color, is necessary to move forward as a united community. We must deal directly with the fact that the outcomes for boys of color have been so dismal for so long that we have gone through a process of what noted scholar and New York University professor Dr. **Pedro Noguera** refers to as "normalization." As a society, we've grown accustomed to the fact that certain groups will be overrepresented in domains associated with failure, such as incarceration and unemployment, and underrepresented in domains associated with success, like higher education and gainful employment.

The Franklin County 2015 "Champion of Children" report provides an annual look at issues affecting children and education by sharing data, research and recommendations. It was created by Ohio State University's Kirwan Institute for the Study of Race and Ethnicity, Community Research Partners and United Way of Central Ohio.

In this year's report, we took what we learned from the previous two reports and applied them to boys of color. The 2015 report is available at http://links.ohioschoolboards.org/82522. The previous reports are posted at http://links.ohioschoolboards.org/21016.

From the 2013 report, we drew on the importance of neighborhoods of opportunity for success and the types of structures that foster healthy outcomes for children.

From the 2014 report, we brought the understanding of how corrosive toxic stress is for child development and the potential for success in every facet of life. As a community, we can and must do better. We cannot afford to allow so many systems to fail black and Latino boys and expect the future health and well-being of a community not to be jeopardized.

Prolonged poverty can depress life outcomes

Poverty, and the stress associated with it, has a significant negative effect on mental, emotional and physical health. Consistent and unrelenting stress becomes toxic, and impairs a child's cognitive development. Dr. Eric Dearing, a Boston College professor, extensively documents how children living in poverty are more likely to display delayed cognitive, language and socioemotional development. This has far-reaching consequences, including lower lifetime earnings, more involvement in crime and increased mental health complications.

Persistent poverty in early childhood is especially problematic, but even transient poverty has been found to have negative mental health consequences. In Franklin County, 25% of children under the age of 18 live in poverty. For boys of color, this figure is almost 40%. Further, African-American families represented approximately half of all Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program (food stamps) and Medicaid recipients in 2013.

Neighborhood environments have a powerful effect on education outcomes

Education is a pathway to opportunity, yet we have never delivered on the promise of education equally for all children. For example, the Massachusetts-based Schott Foundation for Public Education has been tracking black



Communities must align their resources to ensure boys of color have opportunities to excel. There also needs to be a greater dialogue about expanding promising programs to reach more of the community.

and Latino male educational outcomes in every state for 10 years. Its most recent report finds persistent and systemic gaps in educational outcomes for these young people.

The gap between white and black males continues to widen. For the 2012-2013 high school cohort, Ohio ranked 41st out of 50 states on black male graduation rates (54% for blacks versus 84% whites). Also, Ohio recorded one of the largest gaps in Latino/white male graduation rates, 22 percentage points. These disturbing outcomes persist despite a national call to action — embodied by No Child Left Behind legislation — to address class and racial gaps in academic outcomes.

Much of recent educational policy focuses on in-school factors, such as teacher preparedness and performance, and inferior classroom environments, as the cause of achievement gaps. This has fueled the push for accountability, testing and other outcome-oriented results. While in-school factors certainly are crucial, it's necessary to acknowledge the powerful effects that out-of-school factors have on educational success. Indeed, far greater contributors to academic success are family and neighborhood effects, accounting for approximately 60%.

Although poor children of all races suffer when exposed to negative neighborhood conditions, research shows that

black and Latino children are far more likely to live in areas of "high poverty" or "concentrated poverty" than white children. Concentrated poverty refers to areas where 40% or more of the residents live below the poverty level. The percentage for a high-poverty designation is at least 20% living below the poverty level.

In a 2011 study, researchers Dr. Patrick Sharkey, an associate professor at New York University, and Dr. Felix Elwert, a University of Wisconsin-Madison associate professor, found that prolonged exposure to extremely disadvantaged neighborhoods during childhood negatively impacts cognitive ability and primary and secondary educational outcomes. These factors, in turn, impede access to college and economic mobility. In Franklin County, boys of color are most likely to live in a neighborhood with more than double the poverty rates experienced in the neighborhoods of white children.

The depths of this crisis, particularly for black youth, are perhaps best revealed by a 2010 finding that, nationally, the average black male has performed below the basic level in every grade and every subject on the National Assessment of Education Progress for the past 20 years. To reverse this trend, it is imperative that both families and neighborhoods are equipped with the resources that support and encourage scholastic success and positive life outcomes.



Implicit racial biases, which we all have, act as invisible barriers to opportunity

Implicit bias refers to attitudes or stereotypes that influence our decisions and behaviors without our conscious awareness. It differs from explicit or intentional bias. A 2002 study by University of Colorado Boulder professor Dr. Irene Blair and a 2004 study by Rutgers University professor Dr. Laurie A. Rudman demonstrated that implicit bias is activated involuntarily without our awareness or intentional control. In a 2004 study, University of California, Los Angeles professor Dr. Sandra Graham and Stanford University professor Dr. Brian S. Lowery — among others — even found a disagreement between implicit and explicit beliefs.

In his 1999 book *The User Illusion: Cutting Consciousness Down to Size*, Danish author and lecturer **Tor Norretranders** revealed that the vast majority of the information we receive each day is absorbed without us ever being aware of it. Many of the messages we receive about black and Latino boys encompass harmful and pervasive stereotypes. These ubiquitous messages become embedded



Teachers can help boys of color succeed by shifting from a negative narrative to one of resilience and high expectations.

in our subconscious minds. Even when we intend to remain unbiased, we may unknowingly engage in discriminatory behaviors that adversely affect these children's life outcomes. Thus, these implicit associations work to create invisible, but powerful, barriers to opportunity for boys of color.

Discipline, criminalization and the challenges of navigating school systems, perceptions and biases

There are several decades' worth of research documenting the overrepresentation of black and Latino males in the criminal justice system and being disciplined in school. The Sentencing Project documents how, nationally, black youth are incarcerated at six times the rate of white youth, while Latino youth are incarcerated at double the rate of white youth.

In schools, black students are expelled three times more frequently than white students. Although they made up just 16% of students enrolled in the 2011-12 school year, they accounted for 31% of all in-school arrests. And this disparity begins almost immediately. In preschool, 48% of preschool children who are suspended more than once are black.

Given these numbers, we really should be talking about a preschool-to-prison pipeline. A study by Dr. **Sean Nicholson-Crotty**, a University of Missouri associate professor, provides evidence of the link between racial disproportion in out-of-school suspensions and racial disproportion in juvenile justice systems.

Psychological research documents a self-fulfilling expectation of delinquent behavior. Noguera illustrates how students who are labeled as defiant or problematic "are more likely to internalize these labels and act out in ways that match the expectations that have been set for them" Noguera points out that schools most frequently punish the students who have the greatest need: "Often, it is the needs of students and the inability of the schools to meet those needs that causes them to be disciplined. ... Too often, schools react to the behavior of children while failing to respond to their unmet needs or the factors responsible for their problematic behavior."

The stories we tell ourselves and each other about our young boys of color matter. A 2014 study, led by University of Michigan professor Dr. **Stephanie Rowley**, specifically examined the narratives parents, teachers and black boys themselves used to describe black boys as it relates to educational achievement, and the impacts these narratives can have. Researchers found most of the narratives are negative and fatalistic, and undermine scholastic success. They also reinforce the broader narrative that these boys are beyond hope or in peril. Given the educational outcomes of black and Latino male youth, this research suggests that

"our collective perceptions of black boys may keep them from performing at the highest level."

A call to action and opportunity: creating a 'new normal' for our boys of color

The "Champion of Children" report documents the many challenges facing young boys of color, challenges that, if left unaddressed, imperil their successful entry into adulthood and their ability to be flourishing, productive members of society. However, it also is clear that such research does not fully capture the experience of all boys of color in our communities. Indeed, there are places where young boys of color are thriving, where others have high expectations for them and the boys themselves feel confident and capable.

While the report's data and research reveal extreme challenges, it also should serve as a call to action for communities. In central Ohio, there are some programs that are placing boys of color on a path to success. The report highlights some of these programs and interventions that are fostering hope, resiliency and opportunity for boys of color.

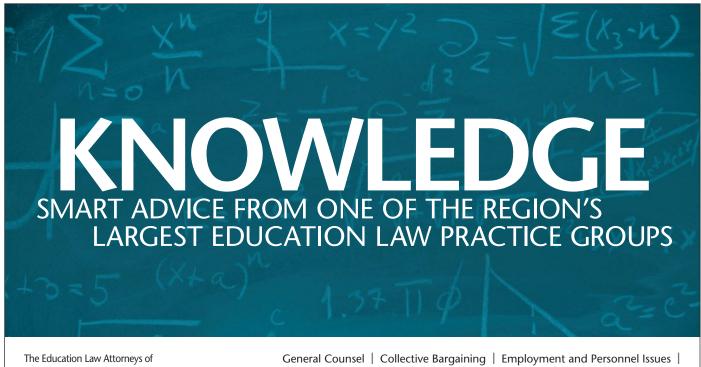
Franklin County has significant capacity and resources, but they need to be better aligned to ensure boys of color have opportunities to excel. There also needs to be a greater dialogue about expanding promising programs to reach more of the community.

"Champion of Children" highlights what is essential for creating an environment in which boys of color can thrive. The following steps can contribute greatly to creating that environment:

- ensuring healthy neighborhoods and families;
- supporting strong and resilient families;
- embracing a new narrative of resilience and high expectations;
- investing in evidence-based mentoring programs and coaching to support youth;
- challenging our implicit biases as individuals and within our institutions;
- repairing the pipeline to educational success.

This is the time to act. We must work and invest to expand opportunities, provide mentoring and coaching, and reduce barriers to success to ensure boys of color — and all children — succeed and thrive.

Editor's note: This article was adapted from the Franklin County 2015 Champion of Children report by Jason Reece, senior associate director at the Kirwan Institute for the Study of Race and Ethnicity at Ohio State University, and Jillian M. Olinger, public policy and planning analyst at the Kirwan Institute.

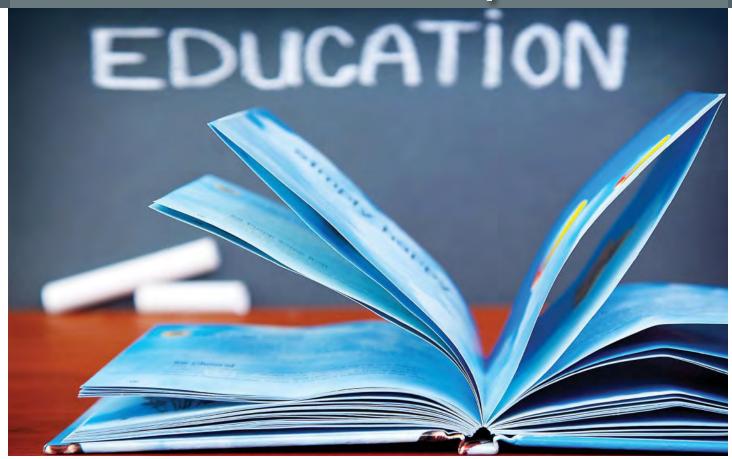


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Rethinking our approach to school discipline



Alternatives to suspension, expulsion and zerotolerance practices

Michael D. Thompson, Council of State Governments Justice Center

In the wake of recent school tragedies, nobody understands better than school leaders the challenges of creating a welcoming and supportive learning environment while maintaining order and safety.

While more school districts look to move away from zerotolerance policies of the past, educators continue to feel the pressure to remove disruptive students from the classroom. Yet disciplinary strategies that remove students from school have been shown to increase the likelihood of a host of negative outcomes, including dropping out of school and juvenile delinquency. Research also shows children of color and those with disabilities, particularly emotional and behavioral disorders, are disproportionately affected by exclusionary disciplinary actions and are overrepresented in the juvenile justice system.

As such, an increasing number of districts and schools are implementing alternatives to suspension and expulsion; improving resources for administrators, teachers and other school staff; and providing the supports and services to get students back on track.

Recent research

A 2013 report by The Civil Rights Project at the University of California, Los Angeles found approximately 2 million — or one in nine — middle and high school students were suspended at least once in the 2009-10 school year, according to U.S. Department of Education data.

The high rates of exclusionary actions are consistent with the 2011 Council of State Governments Justice Center's "Breaking Schools' Rules" study, which followed nearly every seventh-grade public school student in Texas over a six-year period. The study found the majority of students — nearly 60% — had been suspended or expelled during that time. The overwhelming majority of suspensions resulted from actions that occur at the discretion of school leaders with the latitude to deal with misbehavior (discretionary suspensions), not due to mandatory removals.

Furthermore, the study found that African-American students and students with special needs were disproportionately disciplined for discretionary violations, such as disrespect, tardiness and disruptions. Nearly three of four students who qualified for special education services during the study period were suspended or expelled at least once, with students whose record reflected they had been coded as emotionally disturbed having nearly a 24% higher probability of being suspended or expelled for a discretionary reason.

In addition to confirming the negative academic and juvenile justice-related outcomes associated with exclusionary disciplinary actions, the study also examined schools that had similar characteristics and student populations and found these schools varied significantly in how often they suspended or expelled students. "Breaking Schools' Rules" is available at http://links.ohioschoolboards.org/61488.

The growing body of school discipline research makes a compelling case for school districts and individual schools having the ability to reduce their dependence on out-of-school suspensions and expulsions to manage student misbehavior. Many schools are implementing innovative strategies to create alternative options with promising results; yet significant barriers prevent these efforts from reaching scale. This is because, in part, they require internal and external resources and collaboration from multiple systems, notably health and other social service providers, law enforcement, courts and probation departments.

Practitioner needs

Educators have long recognized what research increasingly confirms: Students succeed in an environment where they feel safe, supported and connected to each other and the adults in the building. Likewise, when students are actively engaged in learning, they have improved academic, social and health outcomes and fewer behavioral problems. The safest schools are marked with high levels of student engagement and strong

relationships among students, parents and educators.

Many educators agree suspensions and expulsions should be a last resort, reserved for the most serious offenses. The emphasis should be on preventing student misbehavior by proactively establishing structures and policies to improve school climate, encouraging positive student behavior and implementing targeted and intensive behavioral health strategies. School districts struggle, however, with finding the resources to address the range of students' behavioral health needs. They also are often unaware of best practices and promising strategies for nonexclusionary interventions that can be tailored to the needs of their students and their district capacity.

In response, the Council of State Governments Justice Center is leading a consensus-building project that will convene experts in education, behavioral health, school safety, juvenile justice, social services, law enforcement and child welfare. Youth, parents, advocates and community partners also play a critical and active role in the project.

The initiative will develop a comprehensive report with policy and practice recommendations and implementation guidance to minimize dependence on suspensions and expulsions to manage student behavior; improve students' academic outcomes; reduce their involvement in the juvenile justice system (including alternative strategies to school-based arrests and direct court referrals when appropriate); and promote safe and productive learning environments. More about the School Discipline Consensus Project is available at http://links.ohio schoolboards.org/11434.



Most educators agree more emphasis should be placed on establishing policies to improve school climate and encourage positive behavior rather than on suspensions and expulsions.

Growing spotlight

The good news is that school discipline issues never have been in a brighter spotlight nor have they had such extensive grassroots momentum. Even as the consensus project progresses, policymakers and practitioners are prioritizing school discipline as a key education, health and social justice issue. President **Barack Obama**'s 2014 budget included several new investments related to school mental health, school

climate improvement efforts and school security, which flow from the president's "Now is the Time" report, issued after the school shootings in Newtown, Conn.

Further, as a result of the commitment and hard work of local communities, advocacy groups, educators and other agents of change, several states, districts and individual schools have undertaken significant improvements to school discipline systems with the goal of keeping students in the classroom, improving school climate and safety, and supporting the behavioral health needs of all students.

Several states have convened legislative and stakeholder task forces to develop recommendations, and some have passed legislation or regulations revising school discipline policies or are providing additional support to educators to develop alternative strategies to suspensions and expulsions. Among the noteworthy:

- The Colorado General Assembly passed legislation amending grounds for suspensions and expulsions, requiring training for school resource officers and requiring school boards and districts to revise codes of conduct and disciplinary codes to keep kids in school.
- The California legislature passed five bills reforming school disciplinary policies. The legislation provides
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- additional decision-making flexibility to school administrators, authorizes the use of alternatives to suspensions and expulsions, and prohibits schools from denying enrollment to students who have had contact with the juvenile justice system.
- Several other states have introduced or are considering legislation related to limiting the use of suspensions and expulsions, supporting students' behavioral health needs, requiring the collection of discipline data and improving school safety measures. Some jurisdictions are addressing civil rights actions related to school discipline.

Local developments

At the local level, promising approaches and practices are emerging. Among them:

- providing training and professional development to educators, specialized instructional support personnel and school resource officers related to alternatives to suspension and arrest, creating positive learning environments and providing supports to students with particular behavioral health needs;
- implementing alternative strategies to suspensions and expulsions, such as restorative justice, peer mediation and youth courts;
- establishing student support teams to identify students with acute behavioral health needs, provide necessary supports and monitor students' progress;
- developing school-based health centers that provide mental and behavioral health and substance abuse services;
- reforming truancy and ticketing policies and school policing protocols.

Additionally, school districts including Buffalo, Denver, Chicago, New York City and Los Angeles have revised their disciplinary policies and codes of conduct to provide administrators more flexibility in handling disciplinary matters, limiting the maximum length of time for suspensions and preventing some infractions from being punished by out-of-school suspensions.

School system leaders remain at the center of these activities and have an unparalleled opportunity to advance the national discussion about school discipline, safety, climate and behavioral health, as well as move the field forward with the support of multiple stakeholders and the engagement of youth, families and communities.

About the author: Michael D. Thompson is director of the Council of State Governments Justice Center in New York City. A nationally recognized expert, he has worked on criminal justice policy issues for nearly 20 years. He can be contacted at mthompson@csg.org

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OSBA campaign continues to promote public education

Crystal Davis, editor

SBA loves to celebrate public education's successes and brag about them whenever it can. That's why the association is extending its popular Stand Up for Public Schools campaign throughout the school year.

More than 70 success stories highlighting the great work of school districts across the state have been posted to the campaign website, **www.standupforOHpublicschools.org**, since the campaign began during the 2014-15 school year.

Nearly 150 photos feature public education supporters





www.standupforOHpublicschools.org

holding campaign signs with the slogans "I believe in public education," "School boards strengthen public education" and "Who I am today began with public education."

Launched in coordination with a national campaign by the National School Boards Association, Stand Up for Public Schools is a statewide initiative that seeks to raise awareness about the importance of public education and locally elected boards of education.

The campaign website also includes a number of resources:

- a success stories blog where stories, photos and videos regularly show how Ohio public schools and students are making a difference;
- an online submission form where you can submit your Ohio public school success stories;
- a tool kit that includes a sample graduation speech, letter to the editor and talking points to help you spread the message about the importance of public schools and their success in Ohio and the nation.

"Public schools across Ohio are making a difference in their communities every day and we want to showcase their achievements and best practices," said OSBA Executive Director **Richard Lewis**. "School districts and boards of education are dedicated to advancing student achievement and providing innovative instruction to prepare students for an ever-changing, interconnected world."

The campaign's website also features a Proud Graduates section where you can learn about the accomplished alumni of Ohio public schools and how public education helped each of them achieve success.

You can also view the winning videos in OSBA's annual Stand Up for Public Schools student video contest.

As we begin this new school year, please consider sending your school district's success stories to **www.standupfor OHpublicschools.org** so that others can learn from your accomplishments while OSBA happily brags about them.

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