

BRIEF CASE

THE OHIO SCHOOL BOARDS ASSOCIATION

Serving the public school leadership team



Final countdown begins for OSBA Capital Conference

The 2012 OSBA Capital Conference and Trade Show kicks off in less than three weeks. Headlining the nation's second-largest education convention will be keynote presenters Dr. **Marc Lamont Hill**, **Diane Ravitch** and The Capitol Steps. Other leading speakers include **Katheryn Gemberling**, **Rosalind Wiseman** and **Chris Spielman**. The Nov. 11-14 conference also offers nearly 150 workshops, seminars and information sessions. Special events include the General Sessions, Conference Luncheons, Early Bird Workshop and OSBA Black Caucus Dinner. For complete details and registration information, visit www.ohioschoolboards.org/2012-capital-conference.

Hamilton Local educator named 2013 Ohio Teacher of the Year

Carole Morbitzer, a math teacher at **Hamilton Local's (Franklin) Hamilton Township High School**, is the 2013 Ohio Teacher of the Year. Acting Superintendent of Public Instruction **Michael Sawyers** surprised Morbitzer with the honor on Oct. 3 at her school. The Ohio Department of Education (ODE) initiated the program in 1969 to honor and promote excellence in teaching and to build a network of exemplary teachers who are leaders in school improvement initiatives.

NSBA taps PSBA chief as new executive director

The National School Boards Association has named **Thomas J. Gentzel** as its next executive director. Gentzel, executive director of the Pennsylvania School Boards Association, will join NSBA on Dec. 1. He will replace **Anne L. Bryant**, who retired Sept. 30 after leading NSBA for more than 16 years. **Joseph S. Villani**, NSBA's deputy executive director and chief operations officer, is serving as interim executive director.

Dayton City students chosen to produce conference documentary

Ponitz Career Technology Center has been chosen to document the Nov. 11-14 OSBA Capital Conference. Ponitz, a partnership between **Dayton City** and Sinclair Community College, was selected based on the outstanding video work it submitted to OSBA. The video project, now in its fourth year, gives students the opportunity to record different events during the conference and edit the footage into a 10-minute documentary. The final product will be streamed on OSBA's website, shared with other state school boards associations and used to promote the conference.

A dozen Ohio public schools earn national blue ribbon honors

The U.S. Department of Education has named 12 Ohio public schools National Blue Ribbon Schools. The program honors schools where students perform at very high levels or where academic achievement has greatly improved. The schools and their

Oct. 22, 2012

Volume 43 Issue 20

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designated School

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Route workshop information to:

- ☐ Administrative Assistants
- ☐ Administrators
- ☐ Assistant treasurers
- ☐ Principals

districts are: Arcadia High School, **Arcadia Local (Hancock)**; Bassett Elementary School, **Westlake City**; Butternut Elementary School, **North Olmsted City**; Chippewa High School, **Chippewa Local (Wayne)**; Fairbanks High School, **Fairbanks Local (Union)**; Hilliard Elementary School, **Hilliard City**; Independence Primary School, **Independence Local (Cuyahoga)**; Jefferson Avenue Elementary School, **Shadyside Local (Belmont)**; Lincoln Elementary School, **Tiffin City**; Lincoln Elementary School, **Wadsworth City**; Rocky River High School, **Rocky River City**; and Western Reserve High School, **Western Reserve Local (Huron)**. Each school will receive a plaque and a National Blue Ribbon School flag.

Nov. 12-16 designated School Psychology Week

The Ohio School Psychologists Association, in conjunction with

London Middle School named 'greenest' school in Ohio

When it comes to energy conservation, one Ohio school has been crowned the "greenest."

London City's middle school is the first school in the state to earn the prestigious Leadership in Energy and Environmental Design (LEED) Platinum certification. Constructed in 2011, London Middle School was recently recognized by the Ohio School Facilities Commission for its LEED certification, which is the highest of four possible levels for schools.

The middle school is noted, among other accomplishments, for generating 70% of its energy from renewable resources, reducing its water usage by 34% and including on its property 22 acres of restored habitat in the form of newly seeded prairie grasses.

Source: *Columbus Messenger*

the National Association of School Psychologists, will celebrate School Psychology Week Nov. 12-16. The week is set aside to help parents and educators foster healthy child development by enhancing the full environment in which children learn and grow. The associations are encouraging schools to join in

the celebration by acknowledging the contributions of their school psychologists.

Green Ribbon Schools deadline is Nov. 15

ODE has announced that the application deadline for the 2012-2013 U.S. Department of Education Green Ribbon Schools competition is Nov. 15. Schools that combine "environmentally conscious practices" with their curriculum are eligible. A panel will nominate up to four schools for national recognition. For details, visit <http://links.ohioschoolboards.org/94592>.

OSBA online

● www.ohioschoolboards.org

The *Conference Guide* is now available for download at <http://links.ohioschoolboards.org/18517>. This valuable resource is filled with everything you need to know as you plan your schedule for the Capital Conference and Trade Show, Nov. 11-14, in Columbus.



Briefcase

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



BULLETIN BOARD

compiled by Melanie Price, administrative assistant of communication services

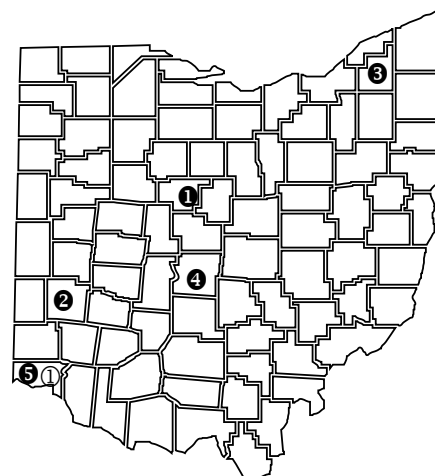
OSBA executive searches

Superintendent

District	Deadline	Contact
① River Valley Local (Marion)	Nov. 23	OSBA Search Services, (614) 540-4000
② Oakwood City	Dec. 13	OSBA Search Services, (614) 540-4000
③ Chardon Local (Geauga)	Dec. 14	OSBA Search Services, (614) 540-4000
④ Whitehall City	TBD	OSBA Search Services, (614) 540-4000
⑤ Winton Woods City	TBD	OSBA Search Services, (614) 540-4000

Treasurer

District	Deadline	Contact
① Lockland Local (Hamilton)	TBD	OSBA Search Services, (614) 540-4000



① = Superintendent

① = Treasurer

Other searches

Position	District	Deadline	Contact
Superintendent	Triad Local (Champaign)	Nov. 30	W. Chris Millice, board president, Triad Local, 7920 Brush Lake Road, North Lewisburg, OH 43060

Board changes

Bucyrus City Board of Education member **Stephen Anthony Lipscomb** announced his resignation effective Oct. 1. ●●● Dover City appointed **John P. Maxwell** to the board effective immediately. He replaced **Douglas Peterman**, who moved out of the district. ●●● Madison-Champaign ESC Governing Board of Education member **Diane Ulrich** announced her resignation effective Sept. 24. She is moving outside the service area. ●●● River Valley Local (Marion) appointed **Cheryl Slack** to the board effective immediately. She replaced **Katie M. Chivington**, who moved out of the district.

Administrative changes

Superintendents

Celina City hired **Jesse D. Steiner** as superintendent effective Oct. 22. He replaced **Matt Miller**, who took the superintendent position at Mentor EV. Steiner was previously superintendent at Hicksville EV. ●●● Fairfield Union Local (Fairfield) hired **Jan Broughton** as interim superintendent effective Dec 31. She will replace **James R. Herd**, who is retiring. ●●● Niles City Superintendent **Mark A. Robinson** announced his retirement effective Oct. 12. He has taken a position with the Ohio Department of Education. ●●● Northridge Local (Licking) Superintendent **John T. Shepard**

Editor's note

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

announced his resignation effective Sept. 27. The board appointed **George Tombaugh** as interim superintendent effective Oct. 8. Tombaugh will continue his assistant superintendent role with the **ESC of Central Ohio**. ●●● **Oakwood City** Superintendent Dr. **Mary Jo Scalzo** announced her retirement effective Aug. 1, 2013. ●●● **Struthers City** hired **Joseph Nohra Jr.** as superintendent effective Jan. 1. He will replace **Robert A. Rostan**, who is retiring. Nohra is currently a principal for **Cleveland Heights-University Heights City**.

Treasurers

Riverside Local (Logan) hired **Jennifer Blackford** as treasurer effective immediately. She replaced **Paul Carpenter**, who took the treasurer position at **Upper Valley Career Center**.

Sympathies

Former **Buckeye Central Local (Crawford)** Board of Education member **Robert L. Forster** died Sept. 23. He was 87. ●●● Former **Coventry Local (Summit)** Board of Education member **Ted Cole** died Oct. 3. He was 90. ●●● Former **Dayton City** Board of Education member Rev. **Canon Gordon S. Price** died Sept. 24. He was 95. ●●● **Vaughn Clawson**, a member of the former **Johnston** Board of Education in Trumbull County, died Sept. 28. He was 96. ●●● Former **Reynoldsburg City** Treasurer **Kenneth L. Black** died Sept. 25. He was 89. ●●● Former **Sidney City** Superintendent **Roger C. McGee** died Sept. 22. He was 88. ●●● Former **Whitehall City** Board of Education member **Philip Foley Allen** died Sept. 24. He was 81.



FUNDING OPPORTUNITIES

compiled by Angela Penquite, assistant editor

Rewarding schools that inspire others

The College Board's Gaston Caperton Inspiration Awards celebrate America's most improved high schools, those that have improved their academic environment and helped their students achieve the promise of a higher education by initiating unique programs and creating partnerships among teachers, parents, community organizations and local businesses.

Maximum awards: \$25,000

Eligibility: secondary schools in which 40% or more of the students receive free or reduced-price lunches

Deadline: Nov. 30

Contact: <http://professionals.collegeboard.com/k-12/awards/inspiration>

Promoting innovative uses of technology

The Vernier Technology Awards reward the innovative use of data collection technology using a computer, graphing calculator or other handheld device in the science classroom. Awards will be presented for elementary, middle and high school levels.

Maximum awards: \$1,000

Eligibility: current K-12 science teachers

Deadline: Nov. 30

Contact: www.vernier.com/grants/nsta

Funding for preservation of the environment

Sponsored by SeaWorld and Busch Gardens, the SeaWorld/Busch Gardens Environmental Excellence Awards recognize the outstanding efforts of students and teachers across the country who are working at the grassroots level to protect and preserve the environment.

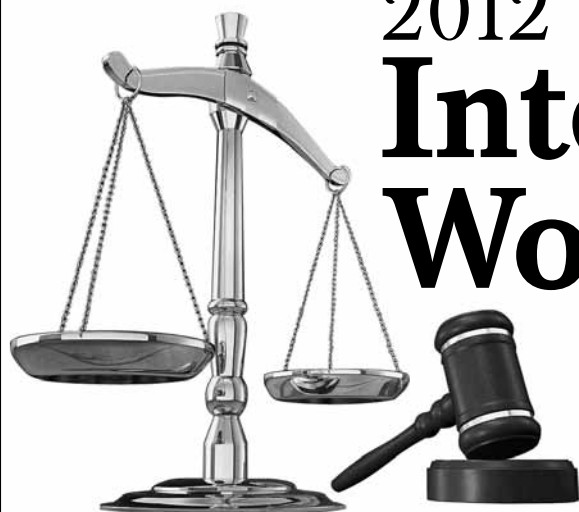
Maximum awards: \$10,000

Eligibility: K-12 schools and community groups

Deadline: Dec. 1

Contact: www.swbg-animals.org/conservation-matters/eea/about.htm

Continued on page 5



2012 OSBA Intensive Legal Workshop

Wednesday, Oct. 24 • 9 a.m.-3 p.m.

OSBA office, 8050 N. High St., Columbus

Cost: \$145

Agenda

8:30 a.m. Registration and continental breakfast

9 a.m. Exit strategy – teacher separation settlement, resignation and termination
A union lawyer and a management lawyer join to discuss the process of successfully exiting personnel from the school district.
John E. Britton, Esq., Britton, Smith, Peters & Kalail Co. LPA, Cleveland; and Neil Baasten, Esq., Baasten, McKinley & Co. LPA, Canton

10:15 a.m. Legal update on teacher evaluation and collective bargaining
The new teacher evaluation system presents legal issues and bargaining concerns. Gain more information you can take home to use in your district.
Renee L. Fambro, Esq., deputy director of labor relations, and Kenna S. Haycox, policy consultant, OSBA

11 a.m. Break

11:10 a.m. Public records case law update
This year has seen a number of judicial decisions affecting public records law. Get a handle on the latest developments, including the attorney general's mediation program for public records complaints.
Hollie F. Reedy, chief legal counsel, OSBA

11:45 a.m. Lunch (provided)

12:45 p.m. Hit it and quit it – need-to-know fall legal grab bag
Quick, practical updates on this fall's legal issues – staff and student political activity, ethics and nepotism, sick and part-time intermittent leave, holiday legal issues and disposal of property.
Rhonda J. Porter, Esq., Akron City Schools; and W. Joseph Scholler, Esq., Frost Brown Todd LLC, West Chester

1:45 p.m. Break

2 p.m. Nonrenewals – getting to no
Long-term unsatisfactory employee? Principals failed to document poor performance for many years? Have an attorney tell you what he wants to see, what he wishes he didn't and what is critical to building a case.
James P. Burnes, Esq., Bricker & Eckler LLP, Columbus

3 p.m. Adjourn

Unauthorized audio recording or videotaping of any session is strictly prohibited.

To register, contact **Laurie Miller**, senior events manager, at (614) 540-4000, ext. 284; (800) 589-OSBA, ext. 284; or Lmiller@ohioschoolboards.org.

Proactive Communication Tactics for District Support Staff



A new workshop for administrative assistants and professionals

Tuesday, Dec. 4
OSBA office, 8050 N. High St., Columbus
(614) 540-4000
Cost is \$40

Developed with administrative assistants and school support staff in mind, this new workshop provides practical advice for those who are often asked to craft news releases, coordinate social media or otherwise fill in as a communication specialist.

Patrick Gallaway, director of communications at **New Albany-Plain Local (Franklin) Schools**, will share the communication tools he finds most useful, and OSBA communication services staff will detail highly effective ways to promote your district's successes to the media and public.

The cost of the workshop is \$40, which includes registration, a box lunch and materials. Register by contacting **Laurie Miller**, senior events manager, at (614) 540-4000, ext. 284; (800) 589-OSBA, ext. 284; or Lmiller@ohioschoolboards.org.

Agenda

9:30 a.m.	Registration opens	11:30 a.m.	School social media savviness in seconds An overview of Facebook, Twitter and other mainstream social media sites, along with the increasingly important role they play in school communications.
10 a.m.	Introductions and welcome	Noon	Lunch and networking
10:15 a.m.	Terrific tools for touting schools Patrick Gallaway, director of communications at New Albany-Plain Local (Franklin) Schools, breaks down some useful tools that will help you better communicate with your community.	12:30 p.m.	Proactive promotion tactics Discover innovative ways to promote your district using social media, as well as techniques to garner positive local media coverage of district news.
11:15 a.m.	Press release primer Learn the basics of writing attention-grabbing press releases and the benefits of ghostwriting stories about your district.	1:30 p.m.	Q&A
		2 p.m.	Adjourn



SchoolComp Safety Seminar

Friday, Dec. 14
OSBA office, Columbus

Cost: \$145
9 a.m. to 3:30 p.m.

This annual safety seminar allows employers to meet the two-hour Ohio Bureau of Workers' Compensation (BWC) safety training requirement and covers many important tips on keeping your employees safe. You do not have to be a participant in the SchoolComp Group Rating or Retro Rating programs to attend this seminar.

You can register on the Ohio Association of School Business Officials website at www.oasbo-ohio.org or by calling (614) 431-9116.

Diversity: Connecting the dots in education

Wednesday, Dec. 5 • 10 a.m. to 2 p.m. • OSBA office, Columbus • Cost is \$85

In this informative workshop, representatives of K-12 public schools and higher education explain how diversity issues impact the entire education spectrum.

- **Cheryl Carter**, director of North Central State College's Urban Center for Higher Education, will provide a look at how the community college is uniquely serving diverse populations and offer advice for encouraging high school students to become first-generation college students.

- **Mason City Schools** will share how it is working to close achievement gaps among diverse student populations, and embrace diversity through a pioneering districtwide racial equity movement that encourages conversation.

- **Mansfield City Schools** will discuss The Algebra Project, an innovative program that helps at-risk students, many of whom come from diverse backgrounds, excel in math.



School board members and administrators, don't miss this chance to learn about a wide range of diversity issues and take valuable information back to your district. You can look forward to discovering best practices and ways to better serve your diverse student populations. This workshop is hosted by OSBA's Diversity and Inclusion Committee.

Agenda

9:30 a.m.	Registration	11:30 a.m.	Lunch (provided)
10 a.m.	Welcome and overview	Noon	Mason City Schools
10:10 a.m.	Cheryl Carter, North Central State College's Urban Center for Higher Education	1 p.m.	Mansfield City Schools
		2 p.m.	Closing remarks and adjournment

To register, contact **Laurie Miller**, senior events manager, at (614) 540-4000, ext. 284; (800) 589-OSBA, ext. 284; or Lmiller@ohioschoolboards.org.

Winter School Finance Workshop

Friday, Dec. 7 • Quest Business and Conference Centers, Columbus

School funding and other education-related issues continue to be contentious topics in Columbus. This workshop is your opportunity to get answers and information from the experts!

What happened in the November elections and how will it impact the next General Assembly? What will the current General Assembly be doing during the lame-duck session about a new accountability system and the state report cards? What will the governor's new school-funding proposal look like and how can school districts play a role in the process? What is the governor's oil and gas tax proposal and how will it impact schools? What are the different types of levy options available to districts? You will get information about all of these questions! Find out what's at stake for Ohio's schools – we are talking politics, legislation and much more.

Cost is \$145, which includes materials, lunch and refreshments. You can register on the Ohio Association of School Business Officials website at www.oasbo-ohio.org or by calling (614) 431-9116.





WORKSHOP REGISTRATION

2012 OSBA Intensive Legal Workshop

☐ Oct. 24, Columbus, \$145

Proactive Communication Tactics for District Support Staff

☐ Dec. 4, Columbus, \$40

Diversity: Connecting the dots in education

☐ Dec. 5, Columbus, \$85

OSBA Workshop Registration Form

Workshop name _____ Workshop date _____

Attendee name _____ Title _____

Daytime phone _____ Email _____

District/firm _____ County _____

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



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

Please photocopy this form for each person

OSBA workshop registration procedures

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

Award of Achievement/LPDC

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



Mail



Phone
or fax



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

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

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

You may register on our website at
www.ohioschoolboards.org. Events are listed at
the bottom of the page. You will need a username
and password.

Cancellation and refund policy

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

Funding Opportunities, continued from page 4

Investing in the future

eSchoolView is offering scholarships to high school seniors through its Investing in Our Future program. Students can in participate one of two contests. The Web Design Contest is for seniors interested in pursuing graphic design, Web design or other arts. The Web Technology Contest asks students to develop creative ways to use Web technology in education. Each contest will be graded by a panel of education professionals who

will use criteria provided by eSchoolView.

Maximum awards: \$5,000 scholarship

Eligibility: schools do not need to be eSchoolView clients for their students to be eligible to enter

Deadline: Feb. 1

Contact: <http://links.ohioschoolboards.org/42279>

'WILD School Sites' grants available

The Ohio Department of Natural Resources Division of Wildlife has

grants available to help teachers develop "WILD School Sites" on their campuses. These sites enable teachers to take lesson plans outdoors, bringing environmental education concepts to life. Funds can be used to purchase materials, equipment and activities needed to develop "WILD School Sites."

Maximum awards: \$500

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

Deadline: May 31

Contact: ohioprojectwild.com



OSBA LEADERSHIP

by Bryan Bullock, assistant editor

Trustees approve new strategic plan for OSBA

The OSBA Board of Trustees met Sept. 22 and approved an updated mission, vision and list of goals for the association. The OSBA governing body met at the association's Columbus office and covered a range of topics on a packed agenda.

The board approved changes to the association's Visionary Initiatives for Strategic Action (VISA), the strategic plan that guides OSBA. The Board of Trustees adopted the initial VISA plan in 2008 with the understanding that plan would be revisited in 2012. The strategic plan approved by the board in September is designed to guide

OSBA for the next five years.

Trustees approved one small but important change to the association's mission statement, which now reads (the change is italicized):

"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."

The board also approved small changes to all of the association's six vision priorities. Trustees agreed to add one new vision priority, which reads, "We proactively advance sound school-

funding policies and financial management through our advocacy efforts, informational resources, programs and services." The vision priority speaks to the funding struggles Ohio public schools are facing and OSBA's focus on assisting districts on a range of topics related to this challenging issue.

The trustees approved a list of goals for the next five years to support these vision priorities. They include creating a transportation services program to help districts; providing information to districts on shared services and other cost efficiencies;

Continued on page 6

OSBA Leadership, continued from page 5

increasing the use of technology to provide services and expand opportunities; and increasing school board member involvement in state and national legislative activities. For more information about OSBA's strategic planning process, visit www.ohioschoolboards.org/osba-strategic-plan.

Trustees also heard a presentation from **Westerville City** about the district's successful campaign to remove a levy repeal from the November ballot. The Supreme Court of Ohio ruled unanimously in September to uphold a decision by the Franklin County Board of Elections to remove the repeal. OSBA's Legal Assistance Fund filed an *amicus* brief in the case and provided

financial assistance to the district. The repeal issue, if approved by voters, would have reduced by 6.7 mills an 11.4-mill levy approved in 2009, and paved the way for similar levy repeals in Ohio.

Rick Bannister, co-chairman of Westerville's most recent levy campaign, said the district was thankful for all the support it received and thrilled by its victory in the courts. He said it is important for all districts to have strong, regular communication with residents and to push back against any opposition groups and misinformation in the community.

"We started an 'I heart Westerville schools' campaign," Bannister said. "It turned the tide and drew people to us."

In other business, trustees:

- Recognized **Jo Ann W. Feltner, Franklin City**, for her nomination as the 2013 OSBA president-elect. If elected by the Delegate Assembly at its November business meeting at the Capital Conference, she will become OSBA president in 2014, following her term as president-elect.
- Adopted a resolution recognizing **Susan Czeh**, former OSBA administrative assistant of legal services. Czeh retired in September after 12 years with the association's legal services division.

The next meeting of the OSBA Board of Trustees is scheduled for Jan. 19 at OSBA's office in Columbus.



LEGAL BRIEFS

by Candice L. Christon, staff attorney

Supreme Court finds public records requests overbroad

The Supreme Court of Ohio recently ruled on a public records case between Columbus State Community College and a former employee. The ruling may help school districts dealing with overly broad public records requests.

In the case, *State ex Rel. Zidonis v. Columbus State Cmty. Coll.*, 2012-Ohio-4228, **Sunday Zidonis** was terminated from her employment with Columbus State. Following her termination, Zidonis made

several public records requests to the college for certain emails, as well as complaint and litigation files.

After receiving the public records request for copies of emails, Columbus State responded and informed Zidonis that her request was too broad. Columbus State was unable to determine with specificity which records were being requested. In addition, the college asked Zidonis to revise

her request, but she did not. Nevertheless, the college created a special computer program to retrieve emails and provided Zidonis with a redacted copy.

Zidonis then requested the college's complaint and litigation files over a six-year period. Columbus State also denied this request, claiming it was ambiguous and too broad. The college noted that it was not

Continued on page 7



PUBLIC SCHOOLS WORK!

compiled by Bryan Bullock, assistant editor

Dawson-Bryant teachers hope to strike a chord with students

Two **Dawson-Bryant Local (Lawrence)** teachers hope to connect with students through an exciting new educational offering — a chance to learn about rock ‘n’ roll.

Dawson-Bryant High School social studies teacher **Derek Parsons** and technology instructor **Tyler Waller**, who together have 30 years of guitar experience, plan to teach guitar to students during lunch a few days a week.

“This gives us a way to interact

with the kids, bridging the gap between student and teacher,” Waller told a local newspaper.

Besides guitar instruction, the teachers plan to use the time as a chance to get students to open up about any problems at school or home. They hope it will bring students together, build new friendships and give students a creative outlet. More than 30 students have signed up for the mentorship program.

“I want to learn to play more,”

said sophomore **Tori Holmes**, who is among those who signed up. “I was really interested when they told me about (the program).”

A student who is an experienced guitar player has volunteered to help with instruction. The program is expected to start in the near future. The teachers hope to raise \$8,000 to purchase guitars and other equipment for students. They hope students will be able to check out guitars and take them home.

Source: *Ironton Tribune*

Legal Briefs, continued from page 6

required “to provide access to entire record series or categories.”

Zidonis filed a writ of mandamus to compel Columbus State to provide her with the requested documents. She also sought statutory damages and attorneys fees. The court of appeals denied the writ of mandamus and Zidonis appealed. On appeal, Zidonis argued that her request for the complaint and litigation files was specific. She also argued that the college had a duty to maintain its email records so they could be retrieved based on sender and recipient status.

Ultimately, the Supreme Court of Ohio found that Columbus State acted properly and that the public

records requests were overbroad. Additionally, the court ruled that a request naming a broad category of records from a records retention schedule did not narrow down the records with reasonable clarity.

The court noted that Columbus State did not have a duty to maintain email records in a manner in which they could be retrieved based on the sender and recipient. Ohio Revised Code (RC) 149.43(B)(2) did not require Columbus State to use a program that could easily search work-related emails based on sender and recipient status. Therefore, the court could not require Columbus State to implement such a program.

Furthermore, the court ruled that

Columbus State provided Zidonis with the opportunity to revise her request by informing her of how it maintained and accessed its records. However, Zidonis ignored this opportunity. As a result, the court held that Columbus State complied with RC 149.43(B)(2).

If you have any questions regarding this case, please contact the OSBA legal services division at (614) 540-4000.

“Legal Briefs” 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.

October 2012

- 24 OSBA Intensive Legal Workshop Columbus
- 25 Pre-general election campaign finance reports must be filed by candidates, political action committees, caucus committees (legislative campaign funds) and political parties (by 4 p.m.) (12 days before general election) detailing contributions and expenditures from the last day reflected in the previous report through Oct. 17, 2012 — RC 3517.10 (20 days before general election).
- 29 Last day to submit certification for February income tax levy to Ohio Department of Taxation — RC 5748.02(A) (100 days prior to the election).

November 2012

- 2 Last day to submit February emergency levy, current operating expenses levy or conversion levy to county auditor for February election — RC 5705.194, 5705.195, 5705.213, 5705.219 (95 days prior to the election).
- 6 General Election Day — RC 3501.01 (first Tuesday after the first Monday).

- 7 Last day for school district to file resolution of necessity, resolution to proceed and auditor's certification for bond levy with board of elections for February election — RC 133.18(D); last day for county auditor to certify school district bond levy terms for February election — RC 133.18(C); last day to submit continuing replacement, permanent improvement or operating levy for February election to board of elections — RC 5705.192, 5705.21, 5705.25; last day to certify resolution for school district income tax levy, conversion levy or renewal of conversion levy for February election to board of elections — RC 5705.195, 5748.02(C); last day to submit emergency levy for February election to board of elections — RC 5705.195; last day to submit phased-in levy or current operating expenses levy for February election to board of elections — RC 5705.251(A) (90 days prior to the election).
- 11-14 OSBA Capital Conference..... Columbus
- 11 OSBA Southeast Region Executive Committee Meeting Columbus
- 11 OSBA Northwest Region Executive Committee Meeting Columbus
- 12 OSBA Central Region Executive Committee Meeting Columbus

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- 1 OSBA Executive Committee Meeting Columbus
- 4 Proactive Communication Tactics for District Support Staff Columbus
- 5 Diversity: Connecting the dots in education Columbus
- 5 OSBA Northeast Region Executive Committee Meeting Wadsworth
- 6 OSBA Southwest Region Executive Committee Meeting Mason
- 7 OSBA Winter School Finance Workshop Columbus
- 14 Post-general election campaign finance reports must be filed by candidates, political action committees, caucus committees (legislative campaign funds) and political parties (by 4 p.m.) (38 days after general election) detailing contributions and expenditures through Dec. 7, 2012 (seven days before the report is filed) — RC 3517.10.
- 14 OSBA SchoolComp Safety Seminar Columbus
- 31 Last day for treasurer to canvass the board to establish a date of the organizational meeting — RC 3313.14.