

BRIEF CASE

THE OHIO SCHOOL BOARDS ASSOCIATION

Serving the public school leadership team



Poll finds Ohioans strongly support local schools, school boards

A new poll shows a majority of Ohioans strongly support their local schools, want funding cuts restored to local schools and governments, and oppose public funding for private and parochial school tuition. The telephone survey released by OSBA and other education groups found nearly two-thirds of Ohioans trust their local school board more than anyone else when it comes to making education policy. For more on the study, visit <http://links.ohioschoolboards.org/48058>.

Ohio Supreme Court removes Westerville levy repeal from fall ballot

The Ohio Supreme Court ruled unanimously in September to nix a ballot issue to repeal a **Westerville City** levy. In a victory for schools across Ohio, the court upheld a decision by the Franklin County Board of Elections to remove the issue from the November ballot. The 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. OSBA's Legal Assistance Fund filed an *amicus* brief in the case and provided financial assistance to the district.

Tickets still available for special Capital Conference events

There's still time to register for the Early Bird Workshop and the two conference luncheons at the 2012 OSBA Capital Conference. The Early Bird Workshop features data expert **Katheryn Gemberling**. Districts are encouraged to bring their curriculum directors and building principals to this event. The luncheon speakers are **Rosalind Wiseman** and **Chris Spielman**. For more information, visit www.ohioschoolboards.org/2012-capital-conference. The conference is Nov. 11-14 in Columbus.

State Board of Education member Dennis Shelton resigns

One of Gov. **John Kasich's** first appointees to the State Board of Education has resigned. **Dennis Shelton** resigned in September, citing personal reasons. A former **Triad Local (Champaign)** and **Caldwell EV** superintendent, Shelton was appointed to an at-large seat on the board in January 2011. The governor will name a replacement to fulfill his term, which expires in December 2014. The board includes 11 elected members and eight appointed members.

National celebration of public education kicks off in November

American Education Week — Nov. 11-17 — celebrates public education and honors those who help educate students. Grants are available to schools that host Educator for a Day events during the week; the application deadline is Oct. 15. For details about grants and the weeklong celebration, visit <http://links.ohioschoolboards.org/26176>.

Oct. 8, 2012

Volume 43 Issue 19

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Route workshop information to:

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

National recognition program seeks top youth volunteers

Prudential Financial and the National Association of Secondary School Principals are seeking outstanding youth volunteers in grades five-12 to honor with the prestigious Prudential Spirit of Community Awards. The program has recognized more than 100,000 students since 1995 for exemplary volunteer activities. Registration packets have been mailed to all middle and high school principals in Ohio. The application deadline is Nov. 6. For details, visit www.nassp.org/spirit, or call (877) 525-8491.

Declaration of material assistance forms repealed

Applicants for licensure or public employment no longer are required to complete Declaration of Material Assistance/Non-assistance forms. Certain applicants were required to

Oklahoma City superintendent pays off friendly NBA wager

Oklahoma City Schools Superintendent **Karl Springer** made a friendly wager on the NBA Finals with the top school administrator in Miami, Fla. — a bet he lost.

The Miami Heat beat the Oklahoma City Thunder to win the NBA Championship in June. In September, Springer paid off his wager with Miami-Dade County Superintendent **Alberto Carvalho** by donning a Miami Heat jersey.

Springer taught a group of kindergarten students while wearing a jersey of **LeBron James**, who was the NBA's Most Valuable Player during the regular season and in the finals. Springer broadcast the lesson at North Highland Elementary School in Oklahoma City online via Skype for Carvalho to see.

Source: Associated Press

complete these forms to certify they had not provided "material assistance" to a terrorist organization. House Bill 487, which became effective on Sept. 10, repealed this requirement. Districts no longer should require applicants to complete these forms and should remove them from

hiring packets, online forms and any other application materials. Please contact OSBA's legal division with questions.

This month in OSBA history

The October 1971 OSBA *Journal* magazine announced "NBC Nightly News" co-anchor **David Brinkley** would headline the upcoming Capital Conference as a General Session speaker. The 1971 conference took place in Cleveland and also featured **Neil Armstrong**, who just two years earlier became the first man to walk on the moon.

OSBA online

● www.ohioschoolboards.org

Several new entries have been posted on OSBA's legal blog, "The Legal Ledger." The newest one examines an Ohio Supreme Court ruling that may help districts deal with overbroad public records requests. Learn more at www.ohioschoolboards.org/wpm.



Briefcase

Ohio School Boards Association
8050 North High Street, Suite 100
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A one-year subscription to Briefcase is \$125 for up to 15 subscribers. Briefcase also is available electronically by email or by fax. For more information, contact Ann Herritt at the address or fax number above or email aherritt@ohioschoolboards.org. Briefcase is published semimonthly by the Ohio School Boards Association. Postage paid at Westerville, Ohio.

Postmaster: Send address changes to: Briefcase, Attn.: Mailroom, Ohio School Boards Association, 8050 N. High St., Suite 100, Columbus, OH 43235-6481

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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

① = Superintendent



Other searches

Position	District	Deadline	Contact
Superintendent	Archbold Area Local (Fulton)	Oct. 26	Toni Babcock , administrative assistant to the superintendent, Archbold Area Local, tbabcock@archboldschools.org
Treasurer	New Albany-Plain Local (Franklin)	Oct. 12	Dr. Bill Reimer , assistant superintendent, ESC of Central Ohio , bill.reimer@escoco.org

Board changes

Beaver Local (Columbiana) Board of Education member **Brad Buchheit** announced his resignation effective Sept. 10. ●●● **Columbiana County ESC** Board of Education member **Christina Phillips** announced her resignation effective Aug. 28. ●●● **Harrison Hills City** appointed **Betty Hugh** to the board effective Sept. 18. She replaced **Robert Hugh**, who passed away in August. ●●● **Osnaburg Local (Stark)** appointed **Henry Boyle** to the board effective immediately. He replaced **Theodore Wahl**, who resigned in August. ●●● **Richmond Heights Local (Cuyahoga)** Board of Education member **Aaron D. Burko** announced his resignation effective immediately. He is moving out of the district.

Administrative changes

Superintendents

Ashtabula Area City Superintendent **Joseph F. Donatone** announced his retirement effective Jan. 1. ●●● **Clyde-Green Springs EV** Superintendent **Gregg Lechert** announced his retirement effective Dec. 31. ●●● **Columbus City**

Editor's note

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

Superintendent Dr. **Gene T. Harris** announced her retirement effective July 31, 2013. ●●● **Fostoria City** Superintendent **Steve Pritts** announced that he has changed his retirement date to Dec. 31, 2012. He previously had planned to retire Aug. 1 2013. ●●● **Monroe Local (Butler)** hired Dr. **Phil Cagwin** as interim superintendent effective Sept. 10. ●●● **Struthers City** Superintendent **Robert A. Rostan** announced his retirement effective Dec. 31.

Treasurers

Delaware City hired **Steve Huzicko** as interim treasurer. He replaced **Christine Blue**, whose retirement is effective Dec. 31. ●●● **New Knoxville Local (Auglaize)** Treasurer **Marcia A. Wierwille** announced her retirement effective Jan. 31, 2013. ●●● **Pickerington Local (Fairfield)** Treasurer **Dan Griscom** announced his retirement effective Feb. 1, 2013. ●●● **Ripley-Union-Lewis-Huntington Local (Brown)** Treasurer **Vivian Armour** announced her retirement effective Feb. 1, 2013.

Sympathies

Former **Fairlawn Local (Shelby)** Board of Education member **Judy S. Bell** died Sept. 9. She was 87. ●●● Former **Northmor Local (Morrow)** Board of Education member **Ivan William Sipes** died Sept. 22. He was 81. ●●● Former **Streetsboro City** Board of Education member **Joan McKittrick-Kropp** died Sept. 21. She was 82. ●●● Former **Valley Local (Scioto)** Board of Education member **Roger Lee Gahm Sr.** died Sept. 21. He was 72. ●●● **Sally A. Humrichouser**, treasurer at the former **Wayne County** Board of Education, died Sept. 22. She was 74.



LEGAL BRIEFS

OSBA Legal Assistance Fund helps district win favorable ruling

Support from the OSBA Legal Assistance Fund recently helped the **Chardon Local (Geauga)** Board of Education prevail in a teacher termination case. The fund provided financial assistance in the case, which resulted in a judge vacating an arbitrator's decision against the school district.

In 2010, a teacher employed by the Chardon Local School District caused a head-on collision with another automobile, resulting in severe injuries to the driver of the other vehicle. The teacher, who admitted that she had been drinking before the collision, lied

to the investigating police officer by telling him that her husband was driving the car involved in the collision. Only after the officer pointed out contradictory evidence did the teacher admit that she was the driver. She was found guilty of vehicular assault, a felony of the fourth degree. After the sentencing, the district suspended the teacher without pay and ultimately terminated her teaching contract.

The district education association filed a grievance contending that the school district's suspension and termination of the teacher's

contract were improper and without just cause. The grievance was submitted to arbitration where the arbitrator concluded that the district lacked good and just cause to terminate the teacher's contract and awarded the teacher back pay. The school district appealed, alleging that the arbitrator exceeded his authority and asked the court to vacate the arbitrator's award.

The Geauga County Court of Common Pleas agreed with the district, finding that the arbitrator exceeded his authority. Based on his reading of the collective

Continued on page 5

Working Well with Your Board of Education

*A workshop for administrative
assistants and professionals*

Wednesday, Oct. 10 OSBA office, Columbus
10 a.m.-2 p.m. Cost is \$85

Don't miss this new workshop developed for administrative assistants and professionals working with board of education members and superintendents.

When it comes to the central office in a school district, the superintendent's administrative assistant, as well as any other staff who work with the superintendent and board of education, are key to maintaining a smooth and positive relationship with the community.

To help administrative assistants and professionals be more effective in their roles, this workshop will focus on training in areas like parliamentary procedure, student privacy laws, understanding the board's key responsibilities, public records laws and the best ways to work with the media. Other topics include strategies and tools to build trust

Agenda

9:30 a.m.	Registration and coffee	11:30 a.m.	Lunch
10 a.m.	Welcome and introductions	12:15 p.m.	I hate it when they call me! How to maintain your cool and be professional when working with members of the media.
10:15 a.m.	The district's leadership team (board of education, superintendent and treasurer): which leader do I listen to?	1 p.m.	Public records, open meetings and the sunshine law: does any of that affect me?
10:45 a.m.	That's happened to me! Tips and tools to make life at work a little easier.	1:45 p.m.	Wrap-up

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



Free webinars for Capital Conference Student Achievement Fair participants

2012 Student Achievement Fair participants webinar

Friday, Oct. 12 at 9 a.m. • Free webinar

This informational webinar is for staff responsible for their district's Student Achievement Fair booth or performing groups. Visit <http://osba.adobeconnect.com/saf101212> to participate in the webinar on Oct. 12.



School Law for Treasurers Workshop



Friday, Oct. 19
Embassy Suites, Columbus
Cost: \$145

Join OSBA for the annual School Law for Treasurers Workshop. Tailored exclusively for treasurers, this workshop will give you the tools you need to stay current.

Focusing on the cutting-edge issues important to you in the 2012-13 school year, presenters will share the latest legal developments for you to take back to your district.

Treasurers, assistant treasurers, business managers, board members and administrative teams are encouraged to attend.

8:30 a.m. Registration and continental breakfast

9 a.m. OHSAA update

The Ohio High School Athletic Association (OHSAA) will offer suggestions for accountability over extracurricular activities, including tournaments and summer camps.

An overview of OHSAA's booster summit also will be provided.

Jeffrey M. Jordan, chief financial officer, OHSAA

10 a.m. Hidden in the clouds: sunshine law for schools

Compliance with public records laws can be difficult, particularly as requests for records become more sophisticated. This session will share strategies to help districts address unique requests for public records.

Mark H. Troutman, Esq., Isaac, Brant, Ledman & Teetor LLP, Columbus

10:45 a.m. Break

11 a.m. Classification of service providers

How should nurses, substitutes, aides and other school service providers be classified?

May districts share service providers? This session will answer these questions and provide practical advice for handling issues

such as workers' comp and liability, among others.

Nicole M. Donovan, Esq., Means, Bichimer, Burkholder & Baker Co. LPA, Columbus

Noon

Lunch (provided)

1 p.m.

Human resources for treasurers

This session will review some of the most common and frequently litigated human resources tasks that treasurers are asked to do, including nonrenewing employees, handling licensure lapses and more.

Giselle S. Spencer, Esq., Britton, Smith, Peters & Kalail Co. LPA, Cleveland

1:45 p.m.

Break

2 p.m.

Treasurer horror stories

Using real-life examples, this session will share financial horror stories, provide a list of common auditable offenses and identify the steps districts can take to avoid their own financial horrors.

David J. Lampe, Esq., Bricker & Eckler LLP, West Chester

3:15 p.m.

Adjourn

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

The workshop will be conducted at the Embassy Suites, 2700 Corporate Exchange Drive, Columbus. The phone number is (614) 890-8600. To register, contact **Laurie Miller**, senior events manager, at (614) 540-4000 or Lmiller@ohioschoolboards.org.



Innocent Targets: Protect Your Students

Wednesday, Oct. 17
Cost: \$145

9 a.m. to 4 p.m.
OSBA office, Columbus

OSBA invites you to attend a practical and intensive seminar on lethal threats to students. This hard-hitting day will focus on incident command systems for schools; schools as “soft targets” for acts of violence; explosives; and active shooters. Participate in a tabletop exercise that gives you first-hand experience in school emergency response. This is an excellent follow-up for those who attended the Ohio School Safety Summit in July.

Presenters

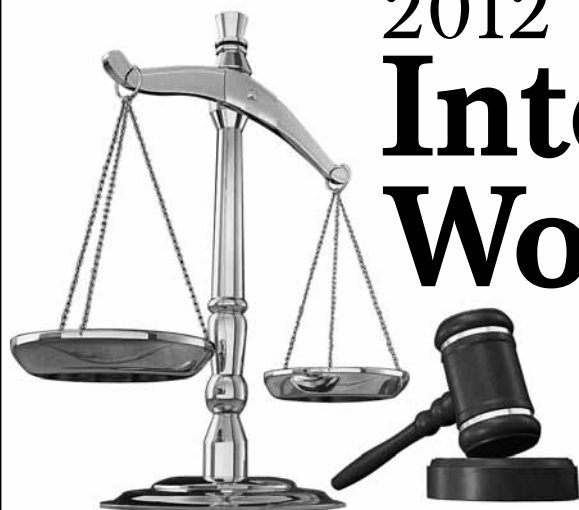
Lt. **Reno Contipelli** is a 21-year veteran of the Cuyahoga Heights Fire Department and seven-year veteran of the Brooklyn Heights Fire Department. He serves as lieutenant/paramedic, is a hazmat/WMD/technician trained in chemical, biological, radiological and IED emergencies, and is a member of the Cuyahoga County Type 1 Hazmat/WMD response team. Contipelli has been a Cuyahoga Heights Local (Cuyahoga) board of education member since 1994 and currently is the board president.

Dr. **Richard J. Caster** served five years as executive director and instructor for the National Association of School Resource Officers. He holds instructor certification from the U.S. Department of Homeland Security in Terrorist Bombings and Suicide Bomber Prevention, as well as Firearms Instructor certification from the Ohio Peace Officers Training Commission. For 35 years, he served as a school administrator at the building and central office levels, and currently is an OSBA senior school board services consultant.

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

Agenda

8:30 a.m.	Registration and continental breakfast	10:45 a.m.	Lethal threats: active shooter, explosives, and response to threats
9:00 a.m.	Incident command systems for schools		
9:30 a.m.	Chemical, biological, radiological, nuclear and explosive readiness	Noon	Lunch (provided)
		1 p.m.	Tabletop exercise
10:30 a.m.	Break	3:30 p.m.	Debrief and adjourn



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, 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

10 a.m. Introductions and welcome

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.

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.

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.

Noon Lunch and networking

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.

1:30 p.m. Q&A

2 p.m. Adjourn

Diversity: Connecting the dots in education

Wednesday, Dec. 5
OSBA office, Columbus

10 a.m. to 2 p.m.
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.

- **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.



- **Cheryl Carter**, director of North Central State College's Urban Center for Higher Education, will 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.

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	TBD
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 annual winter school finance 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.



SchoolComp Safety Seminar

Friday, Dec. 14

Cost: \$145

OSBA office, Columbus 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.



WORKSHOP REGISTRATION

Working Well with Your Board of Education Workshop

☐ Oct. 10, Columbus, \$85

School Law for Treasurers Workshop

☐ Oct. 19, Columbus, \$145

Proactive Communication Tactics for District Support Staff

☐ Dec. 4, Columbus, \$40

Innocent Targets: Protect Your Students Workshop

☐ Oct. 17, Columbus, \$145

2012 OSBA Intensive Legal Workshop

☐ Oct. 24, Columbus, \$145

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.

Legal Briefs, continued from page 4

bargaining agreement (CBA), the arbitrator determined that the district could not suspend or terminate the teacher's contract unless her conduct was egregious. The arbitrator found that the teacher's conduct did not rise to the level of being egregious and, as a result, her termination was unlawful.

The court, however, held that "an arbitrator may not add terms or provisions to a collective bargaining agreement, nor may an arbitrator ignore or delete terms or provisions within that agreement."

In this case, by concluding that

the only relevant factor set forth in the CBA was whether the teacher's conduct was "egregious," the arbitrator misinterpreted the CBA and added his own terms. The arbitrator adopted a standard for termination different from Ohio Revised Code Section 3319.16, which was expressly referenced in the CBA under the section on termination. Under the actual terms of the CBA, the district was not required to prove that the teacher's conduct was egregious before it could suspend or terminate her teaching contract.

Because the arbitrator's award

was based on a determination that exceeded the arbitrator's authority, the court ordered that the award be vacated.

The Legal Assistance Fund is a trust fund that supports OSBA-member school boards in litigation of statewide significance, primarily at the appellate level. With many school districts participating, the collective power of districts' small contributions becomes quite significant.

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



FUNDING OPPORTUNITIES

compiled by Angela Penquite, assistant editor

Helping students understand geometry

The goal of the National Council of Teachers of Mathematics (NCTM) Improving Students' Understanding of Geometry grant is to develop activities that will help students better understand some aspect of geometry that is consistent with NCTM's Principles and Standards for School Mathematics. The project should include applications of geometry to art, literature, music, architecture, nature or some other relevant area. Proposals must address geometry content, the link between the geometry standard

and the project's activities and the anticipated impact on students' learning.

Maximum awards: \$4,000

Eligibility: applicants must teach math to grades pre-K-eight and be a current NCTM member or teach in a school with a current NCTM school membership

Deadline: Nov. 9

Contact: www.nctm.org/resources/content.aspx?id=1324

Project Ignition promotes teen driver safety

Sponsored by State Farm Insurance and coordinated by the National Youth Leadership

Council, Project Ignition is calling for students and their teachers to create a service-learning project based on teen driver safety.

Students may propose innovative public awareness projects that involve television, film, radio, the Internet, direct mail, performance art or a community event. Schools implementing service learning curricula are encouraged to participate.

Maximum awards: \$2,000

Eligibility: students in grades nine to 12

Deadline: Nov. 15

Contact: www.sfprojectignition.com



LEGISLATIVE REPORT

by Michelle Francis, deputy director of legislative services

OSBA Capital Conference features key legislative sessions

While the General Assembly continues its official recess for election season, "Legislative Report" is going on hiatus. It will return after the November election when the legislature returns for what is commonly known as the lame-duck session.

However, in the meantime, mark your calendars and plan to attend the following OSBA Capital Conference sessions to enhance

your legislative knowledge.

● **Organizational outlook learning track, Monday, Nov. 12**

Changes in schools — is your district ready?

9 a.m.–10:15 a.m., Room C 123-125

Michael L. Sawyers, acting Ohio superintendent of public instruction, will explain Ohio's system to ensure students graduate from college and are career-ready. Learn what your

district needs to do in school year 2012-13 to prepare for changes taking effect the following school year.

● **Spotlight session, Tuesday, Nov. 13**
OSBA legislative update

8:30 a.m.–10:30 a.m., Room B 200-201

Join OSBA lobbyists and Sen. **Peggy Lehner**, chair of the Senate Education Committee, and Rep. **Gerald Stebelton**, chair of the House Education Committee, for an update on the most recent activities of the General Assembly and what to expect during the lame-duck session, especially in

terms of changes to Ohio's accountability system. All conference attendees are invited and encouraged to attend this session.

● **Hot topics learning track, Tuesday, Nov. 13**
New lawmakers — building strong relations

2 p.m.–3:15 p.m., Room C 220-222

A new Ohio General Assembly will convene in January, with fresh faces in both the House and Senate. Legislators, lobbyists and board members explain how to use grassroots advocacy and contacts to cement relationships as we enter a new biennium.

● **Education Tax Policy Institute (ETPI) session, Wednesday, Nov. 14**

You've heard it all — now hear from the experts on school funding, tax issues and the state economy

9 a.m.–10 a.m., Room B 200-201

School-funding reform and tax policy are ever evolving and perennial hot topics in Ohio. ETPI is a highly respected resource for policymakers and educators alike. Dr. **Howard Fleeter**, an ETPI consultant and one of the state's top school-funding and tax policy experts, will make a special presentation on where we have

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Where can you find the *real* facts?



The Education Tax Policy Institute

(ETPI) continues to be the *only* organization in Ohio dedicated to research and analysis of education public policy issues.

Become a **member** of ETPI to help make future research possible. For more information, visit

www.etpi-ohio.org.

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PUBLIC SCHOOLS WORK!

compiled by Bryan Bullock, assistant editor

Two Ohio school districts highlighted nationally as innovators

Cincinnati City and **Steubenville City** schools were featured on national television in September for their innovative programs and instruction.

The Ohio districts were among 10 schools nationwide featured by NBC News' Education Nation. Each school was selected because it "implemented focused and innovative solutions and achieved demonstrable success as a result." The schools were featured on NBC, online and at the 2012

Education Nation summit in New York, Sept. 23-25.

Cincinnati City was spotlighted for its "cradle to career pipeline," a comprehensive private-public partnership that helps students succeed at an early age and supports them through graduation. The program, among other accomplishments, has helped increase eighth-grade math scores by 24% since 2005.

Steubenville City's Wells Academy was recognized for its

use of "Success for All," a reading and math program it adopted in 2000. Nearly a quarter of fourth-graders at the school were reading below grade level before the program. Today, the high-poverty elementary school has some of the best test scores in Ohio.

To learn more about these schools and how they made these solutions work, visit www.educationnation.com for a complete "digital tool kit."

Source: NBC News

Legislative Report, continued from page 6

been and where we are headed. He also will provide the latest information on state revenues and their implications. All conference attendees are invited and encouraged to attend this session.

● Hot topics learning track, Wednesday, Nov. 14

From bill to law to policy

9 a.m.-10:15 a.m., Room C 220-222

OSBA legislative, legal and policy staff will explain the collaborative process of bill introduction, legal interpretation, and policy development and implementation. Learn about your role in the process and practical ways you can get involved and make a difference.

Kids PAC booth hosting silent auction for OSU/Michigan football tickets

Learn more about Kids PAC at the 2012 Capital Conference and Trade Show and participate in a silent auction. Visit Kids PAC in booths 122 and 124 in the Trade Show to learn about OSBA

legislative efforts and how you can make a difference in Ohio public education. While you're there, enter the silent

auction for a chance to take home a pair of tickets to the Ohio State-Michigan football game.

For the latest legislative updates, please contact the OSBA legislative division at (800) 589-6722.

Editor's note: All information in this article was current as of Sept. 28.

Searching for the right direction? Let OSBA put you on the path to success!

OSBA can help your district create a strategic plan to ensure you always know which path to take. Call **Kathy LaSota** at (614) 540-4000 or (800) 589-OSBA to get started on the right path today!

October 2012

- 9 Ohio Teacher Evaluation System and
Common Core workshop..... Columbus
- 9 Capital Conference breakout session
presenter and moderator webinar
- 9 *Last day for voter registration for November
election — RC 3503.01, 3503.19(A) (30
days prior to the election).*
- 10 OSBA Working Well with Your
Board of Education: A workshop for
administrative professionals in the
board office..... Columbus
- 11 OSBA Southwest Region Fall
Conference..... Lebanon
- 12 Capital Conference Student
Achievement Fair participant webinar
- 15 *Last day for certification of average daily
membership — RC 3317.03; last day for
certification of licensed employees to State
Board of Education — RC 3317.061.*
- 17 OSBA Innocent Targets: Protect Your
Students Workshop..... Columbus
- 18 OSBA Northwest Region Fall
Conference..... Van Wert
- 19 OSBA School Law for
Treasurers..... Columbus
- 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

December 2012

- 1 OSBA Executive Committee
Meeting Columbus
- 4 Proactive Communication Tactics for
District Support Staff Columbus
- 5 Diversity: Connecting the dots in
education Columbus