



Understanding joint vocational school districts

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This fact sheet is designed to address the most frequently asked questions about joint vocational school districts. The information is of a general nature. Readers should seek the advice of legal counsel for specific legal problems or questions.

Joint vocational school districts (JVSD) are part of Ohio's delivery system for career-technical education. Often referred to as "career centers," JVSDs are career-technical planning districts that are responsible for the planning and provision of career-technical education to students within their member districts (Ohio Revised Code (RC) 3317.023(A)(1)). Since 2013, the laws governing JVSDs have undergone a variety of changes, particularly related to member appointments. This fact sheet provides information about the current laws regarding JVSDs and their board members.

How is a JVSD created?

A JVSD is created when each board of education whose territory is proposed to be within the JVSD consents to its creation (RC 3311.18). At the time it is created, the JVSD must make a plan for its establishment and operation (RC 3311.16). The plan must be filed with and approved by the board of education of each district that is a member of the JVSD (RC 3311.17). The final plan, including any revisions requested by a member district, must be filed with and approved by the State Board of Education (RC 3311.16-7).

What is the territory of a JVSD?

The territory of a JVSD includes the territory of all of its member districts within a county or within an area comprising two or more contiguous counties (RC 3311.18).

How is a JVSD governed?

A JVSD is governed by a board of education. Members of the JVSD board are appointed by the member school district boards of education. The manner of appointments and number of board members must be included in the JVSD's plan.

Each member district's board may appoint either a current elected member of its board or an individual who is not a member of the district's board but has experience or knowledge regarding the labor needs of the state and region and an understanding of the skills, training and education needed for current and future employment opportunities in the state. The appointing board may give preference to individuals who have served as members on a joint vocational school business advisory committee.

How long is each JVSD board member's term?

JVSD board members serve for a three-year term of office.

If a JVSD has an even number of member districts, its plan may provide for the appointment of one additional board member for a term of one year. The person appointed on the one-year term still must meet the qualifications stated above. The additional JVSD board member is appointed by the board of education of one of the JVSD's member districts, on a rotating basis, as established in the JVSD plan.

If all or a large group of the members are appointed at the same time, a

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JVSD board of education may submit an application to the superintendent of public instruction for approval to revise its membership plan to stagger the members' terms of office. Each board may do so only *one* time. The application must include the revisions proposed to be made to members' terms; the manner by which the terms shall be staggered; and any other information the state superintendent requires.

How is a vacancy on a JVSD board filled?

RC 3313.11 specifically states that the statute does not apply to any joint vocational or cooperative education school district. As a result, the manner for filling a vacancy on the JVSD board of education shall be in accordance with the most recent plan for the JVSD on file with the Ohio Department of Education (ODE). Since all JVSD plans are different, when a vacancy occurs, the JVSD should look to the plan for the JVSD on file with ODE. Remember that each member district and the JVSD itself should have a copy of the final plan. However, ODE can scan and email a JVSD plan to any district, if necessary.

Are JVSD board members compensated?

Each JVSD board member can be paid compensation as provided by the board's resolution. Compensation cannot exceed \$125 per meeting attended. Board members also can receive mileage for travel to and from board meetings at a rate per mile provided by board resolution. For additional information about board member compensation, review the OSBA fact sheet "Board member compensation, benefits and expense reimbursement," available at www.ohioschoolboards.org/osba-fact-sheets-and-brochures.

A JVSD board member who is also on the board of education of a member district can receive compensation from each board for attending meetings of that board. However, the Ohio Ethics Commission (OEC) has issued an informal advisory opinion concluding that, because he or she would receive a benefit in the form of compensation for serving on the JVSD board, the board member cannot nominate himself or herself, second the nomination or otherwise participate in the discussion, deliberation or vote of the member board regarding the appointment (OEC Op. 2010-INF-0629-1).

Are there other ethical considerations for JVSD board members?

JVSD board members meet the definition of a public official (RC 2921.01(A)) and are subject to the Ohio Ethics laws. This is an important consideration because the ethics law prohibits public officials from having a definite and direct interest in a public contract entered into by the board (RC 2921.42(A)(4)). The appointing board should keep this in mind when appointing a member to the JVSD board.

OEC has issued opinions on a couple of situations that could occur when appointing a JVSD board member. RC 2921.42(A)(4) prohibits a member of a governing board of an educational service center from serving as a member of the board of a JVSD formed pursuant to RC 3311.19 if the potential board member is also an employee of the JVSD (OEC Adv. Op. No. 99-004). If the person were to serve as both a board member and an employee of the JVSD, he or she would have an improper interest in a public contract (employment) of the JVSD.

In contrast, RC 2921.42(A)(4) does not prohibit a member of a governing board of an educational service center from also serving, in an official capacity, as a member of the board of a joint vocational education school district which is formed pursuant to RC 3311.19 and which enters into contracts with member's educational service center board, provided that there is no other conflict of interest.

The information in this fact sheet is designed to provide authoritative general information. It should not be relied upon as legal advice. If legal advice is required, the services of an attorney should be obtained.